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1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK  
-----x

3 UNITED STATES OF AMERICA,

4 v.

23 Cr. 490 (SHS)

5 ROBERT MENENDEZ,  
6 WAEL HANA, a/k/a "Will Hana,"  
and FRED DAIBES,

7 Defendants.

Trial

8 -----x

9 New York, N.Y.

June 5, 2024

10 9:45 a.m.

11  
12 Before:

13 HON. SIDNEY H. STEIN,

14 District Judge

15 -and a Jury-

16 APPEARANCES

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Southern District of New York

18 BY: PAUL M. MONTELEONI

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(Trial resumed; jury not present)

THE COURT: Good morning. Please be seated in the courtroom.

I have reviewed ECF 441 and 442, which was Mr. Hana's motion concerning the summary witnesses. I find, as I have previously, that the use of summary charts under 1006 here is quite appropriate. The underlying material is voluminous, the chart and its format are appropriate.

I am denying Mr. Hana's request to strike the Coughlin testimony on 1302 and preclude the other two summary witnesses. I think there are two summary witnesses. The number doesn't matter. However, on cross, I am going to give some more leeway to the defendants to, if they so choose, to highlight exculpatory information in the charts that the summary witness has been questioned about. In other words, if the summary witness is questioned about document 12 and the government brings out something that helps it, on cross the defense can bring out material that's exculpatory on that document. I don't want wholesale reading of entire documents, but within limits I think Mr. Lustberg's point is well taken so I am going to give more leeway there. But, the defense cannot cross-examine the summary witness, assuming the testimony is that this -- that the summary witness did not select the exhibits which I expect it to be. Assuming that is true, I am not going to permit the defense to bring out documents that are

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1 not in the chart and to cross-examine the witness on those.

2 Are my guidelines clear, Mr. Lustberg?

3 MR. LUSTBERG: I think so, your Honor.

4 I guess one question I would have is, so, assume for  
5 the moment that there is a document that was included on the  
6 chart but is only being excerpted in part in the chart, so the  
7 underlying documents --

8 THE COURT: Is the underlying document in evidence?

9 MR. LUSTBERG: Yes, your Honor.

10 THE COURT: You can question him about that.

11 MR. LUSTBERG: Thank you.

12 THE COURT: Or her.

13 Let's bring this jury in. Let's have a full day of  
14 testimony.

15 Does the government understand my ruling?

16 MR. MONTELEONI: Absolutely, your Honor. Should we  
17 put the witness on the stand?

18 THE COURT: Whatever you would like.

19 You can step up and await my deputy.

20 Jury entering.

21 (Continued on next page)

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1 (Jury present)

2 THE COURT: You may be seated in the courtroom.

3 Good morning, ladies and gentlemen of the jury. Thank  
4 you for being here in a timely fashion. It certainly helps the  
5 trial move forward.

6 Government, call your next witness.

7 If you would rise, ma'am, please?

8 Call your next witness.

9 MR. MONTELEONI: The government calls Special Agent  
10 Rachel Graves.

11 RACHEL GRAVES,

12 called as a witness by the Government,  
13 having been duly sworn, testified as follows:

14 THE DEPUTY CLERK: Please state your full name and  
15 spell your name for the record.

16 THE WITNESS: My name is Rachel Graves. R-A-C-H-E-L,  
17 last name Graves, G-R-A-V-E-S.

18 THE COURT: Good morning, Ms. Graves. Please speak  
19 loudly, slowly, and clearly into the microphone.

20 Your witness, Mr. Monteleoni.

21 MR. MONTELEONI: Thank you.

22 Before I begin my questioning, we offer the following  
23 government's exhibits in evidence. Government Exhibit 1331 and  
24 the exhibits cited therein, the additional exhibits cited in  
25 Government's Exhibits 1303 and 1307 through 1329, as well as

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1 Government's Exhibits 1F-1239, 1F-1242, 2A-5 through 2A-7, 2A-9  
2 through 2A-12, 2A-15, 2A-17, 2A-18, 2A-21, 2A-23 through 2A-25,  
3 2A-27 through 2A-29, 2A-31, 3A-9, 3A-20, 5F-1902, 5F-2300,  
4 6A-114, 6A-312, 6A-314, 7E-1, 7N-1, 10C-1, 10G-4, 10H-8, 1420,  
5 A101-3, A102, B303, B304, B305, B306, C218-1, and D102-C.

6 THE COURT: Hearing no objection, admitted.

7 (Government's Exhibits 1331, 1303, 1307 through 1329,  
8 1F-1239, 1F-1242, 2A-5 through 2A-7, 2A-9 through 2A-12, 2A-15,  
9 2A-17, 2A-18, 2A-21, 2A-23 through 2A-25, 2A-27 through 2A-29,  
10 2A-31, 3A-9, 3A-20, 5F-1902, 5F-2300, 6A-114, 6A-312, 6A-314,  
11 7E-1, 7N-1, 10C-1, 10G-4, 10H-8, 1420, A101-3, A102, B303,  
12 B304, B305, B306, C218-1, D102-C received in evidence)

13 DIRECT EXAMINATION

14 BY MR. MONTELEONI:

15 Q. Good morning.

16 A. Good morning.

17 Q. Where do you work?

18 A. I work at the Federal Bureau of Investigation.

19 Q. What's your title at the FBI?

20 A. Special agent.

21 Q. How long have you been at the FBI?

22 A. Eight years.

23 Q. What did you do before you were at the FBI?

24 A. I worked on the operation side of finance.

25 Q. What unit are you currently assigned to in the FBI?

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1 A. Public corruption.

2 Q. When did you join this public corruption unit at the FBI?

3 A. In February of this year.

4 Q. Have you ever heard of a senator named Robert Menendez?

5 A. I have.

6 Q. Was the public corruption unit at the FBI that you joined  
7 in February of this year involved in an investigation of Robert  
8 Menendez?

9 A. Yes, they were.

10 Q. Did you participate in that investigation?

11 A. No, I did not.

12 Q. What did you do to prepare to testify today?

13 A. I reviewed a series of summary charts that were backed up  
14 by documents including bank records, phone records, e-mails,  
15 business records, and documents.

16 Q. Who drafted these summary documents that you reviewed in  
17 preparation for testifying?

18 A. The prosecutors.

19 Q. What did you do to review them?

20 A. I looked through the summary charts line by line and  
21 matched them up with the government's exhibits corresponding to  
22 the information included in the summary charts.

23 Q. Did you verify that all of the information on the summary  
24 documents is drawn from those government's exhibits that you  
25 reviewed to check the documents?

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1 A. Yes, I did.

2 Q. Are all of those government's exhibits that you checked the  
3 summary documents against cited in the summary documents?

4 A. Not all of the information is cited in the summary  
5 document.

6 Q. But is every government exhibit, that the summary document  
7 relies on, cited in the summary document?

8 A. Yes, it is.

9 Q. And is all of the information, in every underlying exhibit,  
10 did all of that information always make it into each summary  
11 document?

12 A. No, it did not.

13 Q. Who chose what portions of the information in the  
14 underlying government's exhibits would get summarized in the  
15 summary document?

16 A. The prosecutors.

17 Q. So you mentioned several types of government exhibits that  
18 you checked the summary documents against. Do those include  
19 text messages?

20 A. Yes.

21 Q. Include e-mails?

22 A. Yes.

23 Q. And I think you mentioned phone records?

24 A. Yes.

25 Q. Collectively, about what range of how many pages were the



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1 text messages?

2 A. Hundreds of pages.

3 Q. Collectively, about how many pages were the phone records?

4 A. Thousands of pages.

5 Q. Who made the decision what exhibits you would be reviewing?

6 A. The prosecutors.

7 Q. Do you believe that you have reviewed all of the documents  
8 that the public corruption unit you joined in February have  
9 gathered in the course of this investigation?

10 A. No, I do not.

11 Q. Who made the decision which of the exhibits would be cited  
12 in the summary documents?

13 A. The prosecutors.

14 Q. Special Agent Graves, you should have a folder in front of  
15 you with a series of documents marked for identification as  
16 1303, and then 1307 through 1329. Can you take a moment and  
17 ensure that each of those documents is within that binder?

18 A. I don't know that I have 1303, unless it is not in order.

19 MR. MONTELEONI: Mr. Hamill, can you please display  
20 just for the witness the document marked for identification as  
21 Government Exhibit 1303?

22 Q. Special Agent Graves, do you have 1307 through 1329 in  
23 front of you?

24 A. Yes, I do.

25 Q. Are 1303, which is up on your screen, and then 1307 through

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1 1329, which is in front of you, are those all summary charts  
2 that you verified?

3 A. Yes, they are.

4 Q. Did you verify for each of those documents that all of the  
5 information in the document is drawn from the government's  
6 exhibits that are cited in the document?

7 A. Yes, I did.

8 MR. MONTELEONI: We offer Government Exhibit 1303 and  
9 Government's Exhibits 1307 through 1329, in evidence.

10 THE COURT: Admitted.

11 (Government's Exhibits 1303, 1307 through 1329  
12 received in evidence)

13 MR. MONTELEONI: Mr. Hamill, can you please publish  
14 the first page of Government Exhibit 1303?

15 BY MR. MONTELEONI:

16 Q. Special Agent Graves, what are we looking at here?

17 A. A summary chart.

18 Q. Directing your attention to the top line where it says  
19 December 16, 2016 to June 29 of 2022, what does that range  
20 signify?

21 A. The timeline of the summary chart.

22 Q. Who picked that date range?

23 A. The prosecutors.

24 Q. Do you know why they picked those dates?

25 A. No, I do not.

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1 Q. Do you know, one way or another, whether anything relevant  
2 to this case happened outside of those dates?

3 A. No, I do not.

4 Q. Does the chart list everything that is shown on the records  
5 you reviewed that is listed as happening between those dates?

6 A. No, it does not.

7 Q. Who made the decision which of the events within that date  
8 range to include on the chart?

9 A. The prosecutors.

10 Q. By the way, what time zone is the time of the chart?

11 A. Eastern Time.

12 Q. So we are going to be coming back to this chart in a few  
13 minutes, but first, can you just give the jury a sense about  
14 how long this particular chart, Government Exhibit 1303, is?

15 A. It is over a thousand lines.

16 Q. So, before we leave this chart, the jury can see this but  
17 for the benefit of the transcript, what color are the column  
18 headings on the chart?

19 A. They're blue.

20 MR. MONTELEONI: Let's look at another one.

21 Mr. Hamill, would you please put up Government Exhibit 1308?

22 Q. Special Agent Graves, what is this?

23 A. This is a text exchange between two individuals.

24 Q. Directing your attention to the top, what does the title  
25 mean?

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1 A. It is select text messages between José Uribe and Wael  
2 Hana.

3 Q. Directing your attention to the bottom right corner, what  
4 does it mean where it says sources GX- C16-1 and C16-1T?

5 A. Those are the two government's exhibits that were documents  
6 that I reviewed that this information was drawn from.

7 Q. So this whole chart, 1308, is also based on the information  
8 of those two documents?

9 A. Yes, it is.

10 Q. Again, for the benefit of the transcript, what color are  
11 the column headings on this chart?

12 A. They're gray.

13 Q. What does the date column on this chart reflect?

14 A. The time the text message was sent.

15 Q. You said the time. Is that also in the time column,  
16 essentially the date and time together?

17 A. Yes; the date it was sent and then the time it was sent.

18 Q. What do the "from" and "to" columns reflect?

19 A. Who sent the text message and who received the text  
20 message.

21 Q. What does the "message" column reflect?

22 A. The information or the text actually sent.

23 Q. What does the "English translation" column reflect?

24 A. The translation, if the message was in Spanish, it is  
25 translated into English.

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1 Q. In the first line in the message column, some of the  
2 language is in italics. What do those italics signify?

3 A. That signifies that that portion of the message is in  
4 Spanish.

5 Q. What is the date and time of the first message that is  
6 listed on this chart?

7 A. March 28, 2018.

8 Q. And what time?

9 A. 9:02 p.m.

10 MR. MONTELEONI: Mr. Hamill, can you please take us to  
11 page 2?

12 Q. Special Agent Graves, there is only one row here. Does  
13 that mean that Wael Hana and José Uribe stopped sending each  
14 other any text messages after this message?

15 A. No, it does not.

16 Q. This last message is listed as April 4, 2018 at 7:17 p.m.  
17 You testified a moment ago that the first message on this chart  
18 was on March 28, 2018 at 9:02 p.m. Were there any other  
19 messages in Government Exhibit C116-1 and C116-1T between the  
20 time of the first message listed on the chart and the time of  
21 the last message listed on the chart, that aren't on this  
22 chart?

23 A. No, they're not.

24 Q. So you previously testified that the big chart with the  
25 blue column headings that we will come back to didn't contain

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1 every message between the start and end date of the chart. So  
2 is that different from the smaller chart with the gray column  
3 headings?

4 A. Yes.

5 Q. Now, is this chart the only chart that you verified in this  
6 format with the gray column headings or are there a number of  
7 others?

8 A. There are a number of others.

9 Q. Are all of the others in this gray column heading format,  
10 are they consistent with what you have just been describing  
11 about the format of this gray column heading chart?

12 A. Yes, they are.

13 Q. And do all of the other charts in the gray column heading  
14 format each contain all of the messages between the listed  
15 start time and the listed end time for a single chat?

16 A. Yes, they do.

17 Q. By the way, are some of the messages in this shorter gray  
18 heading charts, are they also reproduced in Government Exhibit  
19 1303, the big chart with the blue column headings?

20 A. Yes.

21 Q. Are all of them?

22 A. Not all of them.

23 Q. Now we are going to come back to Government Exhibit 1303,  
24 the big chart, the blue column headings that we looked at, but  
25 first I want to look at something else.

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1 MR. MONTELEONI: To start, Mr. Richenthal, would you  
2 please put Government's Exhibits 2A-1, 2A-3 and 2A-2 back on  
3 the board?

4 And Mr. Hamill, could you please put up Government  
5 Exhibit 1307?

6 Q. Special Agent Graves, what are we looking at here in  
7 Government Exhibit 1307?

8 A. It is a chart in the form of a PowerPoint.

9 Q. Now, on this first slide of the PowerPoint, directing your  
10 attention to the gray box with the red outline, can you please  
11 read the large words inside that box?

12 A. E & K Trucking Inc.

13 Q. One line down from the word E & K Trucking, Inc., can you  
14 please read the next line?

15 A. President: Elvis Parra.

16 Q. So where it lists Elvis Parra as president, in a box with  
17 the heading E & K Trucking, Inc., what type of document is this  
18 based on?

19 A. A bank document.

20 MR. MONTELEONI: Let's take a look at this bank  
21 document. Mr. Hamill, can you please put up what is in  
22 evidence as Government Exhibit 5F-2500? And could you please  
23 expand the portion of the page the printed matter is on?

24 Q. Directing your attention, Special Agent Graves, to the top  
25 left-hand corner, can you please read the logo and then the

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1 line under the logo?

2 A. Chase Business Signature Card.

3 Q. Two lines down, would you read the line reading: Account  
4 Title Depositor. Can you please read the next line?

5 A. E & K Trucking, Inc.

6 Q. How does that name compare to the name you just read in  
7 slide 1 of Government Exhibit 1306?

8 A. It is the same.

9 Q. Directing your attention down a few lines on the left, can  
10 you please read the address listed under business address?

11 A. 19 Bethany Cir, Closter, New Jersey, 07624-1665.

12 MR. MONTELEONI: Now, Mr. Hamill, if you can drop that  
13 expansion?

14 Q. Special Agent Graves, directing your attention to the  
15 middle of the page on the lines that begin with names and end  
16 with what appear to be signatures, directing your attention to  
17 the third of those lines down, can you please read the name on  
18 the left?

19 A. Elvis Parra.

20 Q. Directing your attention two columns over, can you please  
21 read the title in the third column on the row starting "Elvis  
22 Parra"?

23 A. President.

24 Q. How does that compare to how Elvis Parra is listed in that  
25 first slide of Government Exhibit 1307?



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1 A. It is the same.

2 Q. Directing your attention to the next column over, before  
3 what appears to be a signature, can you please read the  
4 handwritten date?

5 A. 1-10-12.

6 MR. MONTELEONI: Mr. Hamill, can you please put up  
7 Government Exhibit 1430 and take us to slide 2? Sorry, take us  
8 to page 2, rather.

9 I will now read from paragraph 11: The document  
10 marked for identification as Government Exhibit 2A-11 is a true  
11 and accurate photograph of Elvis Parra.

12 Mr. Richenthal, can you please put Government Exhibit  
13 2A-11 on the board?

14 Mr. Hamill if you can please put up Government Exhibit  
15 2A-11? Now, Mr. Hamill if you could please put up back up  
16 Government Exhibit 1307 and take us to slide 2?

17 Q. Special Agent Graves, what is depicted here?

18 A. Another bubble or box within the PowerPoint.

19 Q. Now, directing your attention to this new bubble where it  
20 listed Omar F Contreras and Ana Peguero of members of Phoenix  
21 Risk Management, LLC, what type of document is that bubble  
22 based on?

23 A. Also a bank document.

24 MR. MONTELEONI: Let's look just briefly. Mr. Hamill,  
25 can you please put up Government Exhibit 5B-3000?

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1 Q. Special Agent Graves, directing your attention to the line  
2 near the top under the thick letterhead line on the line that  
3 starts: Name of limited liability company. Can you please  
4 read what is written on the line after that?

5 A. Phoenix Risk Management, LLC.

6 Q. Directing your attention to the middle of the page to the  
7 second handwritten name, please read that name?

8 A. Anna Peguero.

9 Q. What does this document list as the title/status right  
10 after the words "Ana Peguero"?

11 A. "Member".

12 MR. MONTELEONI: Mr. Hamill, can you please put back  
13 up Government Exhibit 1430, page 2?

14 I will now read paragraph 6: The document marked for  
15 identification as Government Exhibit 2A-6 is a true and  
16 accurate photograph of Ana Peguero.

17 Mr. Richenthal, can you please put up Government  
18 Exhibit 2A-6 on the board?

19 Mr. Hamill, can you please publish Government Exhibit  
20 2A-6? Let's go back, Mr. Hamill, to slide 2 of Government  
21 Exhibit 1307.

22 Q. Special Agent Graves, directing your attention to the red  
23 arrow pointing from Phoenix Risk Management, LLC, to E & K  
24 Trucking, Incorporated, can you please read the black text next  
25 to that arrow?

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1 A. Acts as insurance broker.

2 MR. MONTELEONI: Let's look at one of the documents  
3 that are cited. Mr. Hamill, can you please put up Government  
4 Exhibit 4G-11?

5 Q. Special Agent Graves, directing your attention to the top  
6 of the page -- if we can expand the top third? Thank you,  
7 Mr. Hamill -- directing your attention to the top of the page  
8 in center, under the words "New Jersey Compensation Rating and  
9 Inspection Bureau," can you please read the all caps line under  
10 that starter "Workers"?

11 A. Workers Compensation and Employers Liability Insurance  
12 Policy.

13 Q. A couple of lines below that under the black line,  
14 directing your attention first to the left side of the line  
15 where it says: 1. Insured. Can you please read what is on  
16 the line after "insured"?

17 A. Corporation.

18 Q. And on the next line down, right under the word  
19 "corporation," can you please read the all caps name?

20 A. E & K Trucking, Inc.

21 Q. Can you please remind the jury who was the president of  
22 E & K Trucking, Inc., according to the documents you reviewed?

23 A. Elvis Parra.

24 MR. MONTELEONI: Now, Mr. Hamill, can you please take  
25 us to the bottom quarter of this page?

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1 Q. Special Agent Graves, directing your attention on the left,  
2 under the last horizontal line on the line that starts: Name  
3 of producer. Please read what is written after name of  
4 producer?

5 A. Phoenix Risk Management, LLC.

6 Q. Can you please remind the jury what company Ana Peguero was  
7 listed as a member of according to the documents you reviewed?

8 A. Phoenix Risk Management, LLC.

9 Q. By the way, do you know what an insurance producer is,  
10 roughly?

11 A. Roughly.

12 Q. What is it, roughly?

13 A. It is a blanket statement for insurance sales or a person  
14 who provides insurance.

15 Q. Now, directing your attention to the last line of text, if  
16 you could take us down, Mr. Hamill to the very bottom of the  
17 page? Starting "Issued", can you please read the date after  
18 the word "issued"?

19 A. 12/04/2013.

20 Q. Directing your attention to the right side of the line, can  
21 you please read the date after the word "processed"?

22 A. 12/05/2014.

23 Q. So, you just testified that this Workers Compensation  
24 Employers Liability Insurance Policy document, showing  
25 E & K Trucking as the insured, and Phoenix Risk Management as

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1 the producer, is listed as processed in 2014. I want to turn  
2 to something that happens after that?

3 MR. FEE: Objection as to the comments.

4 THE COURT: Sustained.

5 MR. MONTELEONI: Mr. Hamill, can you please put up  
6 Government Exhibit 1303?

7 Q. Directing your attention to row 1, can you please read the  
8 date?

9 A. December 16, 2016.

10 Q. Can you please read the detail cell?

11 A. Elvis Parra indicted.

12 Q. Can you please read the number of the Government's  
13 Exhibits that this cell cites?

14 A. GX 4G-1, GX 10H-1.

15 MR. MONTELEONI: Mr. Hamill, can you please put up  
16 Government Exhibit 1432 and take us to the bottom of page 7 and  
17 top of page 8?

18 I will now read paragraph 14: The document marked for  
19 identification as Government Exhibit 10H-1 contains a true and  
20 accurate copy of a December 19, 2016 news release publicly  
21 filed on the New Jersey Office of the Attorney General  
22 website -- and its web address -- as that page existed as of  
23 approximately July 2, 2020.

24 Mr. Hamill, can you please put up Government Exhibit  
25 10H-1? Could you expand the top half of the page from the

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1 photograph up?

2 Q. Directing your attention to the large blue text above the  
3 photograph, can you please read those three lines starting  
4 "Essex"?

5 A. Essex County business owner charged with bilking nearly  
6 \$389,000 from Workers Compensation Insurance Carrier by  
7 Submitting False Information.

8 MR. MONTELEONI: Also, the first row cited Government  
9 Exhibit 4G-1. Mr. Hamill, can you please put up Government  
10 Exhibit 4G-1 and expand the top half of the page?

11 Q. Special Agent Graves, directing your attention to the top  
12 letterhead in the center of the page under the round seal, can  
13 you please read the next two lines?

14 A. State of New Jersey, Office of the Attorney General.

15 Q. Directing your attention to under those two lines, can you  
16 please read the next two lines?

17 A. Department of Law and Public Safety, Division of Criminal  
18 Justice.

19 Q. Below the P.O. box and the phone number in the center, can  
20 you please then read the date?

21 A. December 16, 2016.

22 Q. Directing your attention to the next few lines down on the  
23 left, could you please read the first three lines, starting:  
24 "Ms."?

25 A. "Ms. Debbie Despotovich, Essex County Crim. Div. Manager,

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1 Veteran's Court House."

2 Q. Below the address block on the right, can you please read  
3 the "Re:" line?

4 A. "Re: State v. Elvis Parra."

5 Q. Two lines down, can you please read the number after  
6 superior court Docket no. ?

7 A. "16-12-00217-S."

8 Q. Directing your attention to the body of the letter, can you  
9 please read the first sentence of the first paragraph?

10 A. "On December 16, 2016, the state grand jury returned the  
11 above-referenced indictment."

12 MR. MONTELEONI: Now, can you please take us to page 4  
13 of Government Exhibit 4G-1, Mr. Hamill?

14 Q. Special Agent Graves, directing your attention about a  
15 quarter of the way down the page to the right of the words  
16 "state of New Jersey v. Elvis Parra" and under the words  
17 "Docket no. 16-12-00217-S," can you please read the word that  
18 is written there?

19 A. Indictment.

20 Q. Directing your attention under Count One, can you please  
21 read the parentheses under that?

22 A. "Theft by deception, second degree."

23 MR. MONTELEONI: Mr. Hamill, can you please take us to  
24 page 7 of Government Exhibit 4G-1?

25 Q. Directing your attention to the top of the page under Count

O655men1

Graves - Direct

1 Two, can you please read the parenthetical?

2 A. "Insurance fraud, third degree."

3 Q. Now, I'm not going to ask you to read all of this long  
4 paragraph but I would like to look at one part of it.

5 MR. MONTELEONI: Mr. Hamill, can you please scroll  
6 down and keep going to page 8, and then can you please expand  
7 the subparagraph numbered 1?

8 Q. Special Agent Graves, can you please read from the  
9 beginning of the subparagraph starting "on or about November"  
10 just down to where it says on the sixth line "only employed  
11 three truck drivers"?

12 A. "On or about November 21, 2012, the said Elvis Parra, did  
13 state in an application for a policy of workers compensation  
14 insurance for E & K Trucking, Inc., that the said Elvis Parra  
15 submitted to the New Jersey Compensation Rating and Inspection  
16 Bureau, on or about November 21, 2012, that (1) E & K Trucking,  
17 Inc., only employed three truck drivers."

18 Q. A few lines down, can you please read from: "Whereas in  
19 truth" down to "three truck drivers?"

20 A. "Whereas, in truth and in fact, the said Elvis Parra well  
21 knew at the time the said Elvis Parra made the said statements  
22 that (1) E & K Trucking, Inc., employed far more than three  
23 truck drivers."

24 Q. Now, you read just now a reference to an application for  
25 policy of workers compensation insurance. Does Count One,



O655men1

Graves - Direct

1 which I didn't ask you to read, also reference an application  
2 for workers compensation insurance?

3 A. Yes, it does.

4 MR. MONTELEONI: Mr. Hamill, can you please take us to  
5 page 10 of Government Exhibit 4G-1?

6 Q. Directing your attention to Count Three, I'm not going to  
7 ask you to read it all but does this count -- you can scroll  
8 down a bit more Mr. Hamill, please -- does this count also  
9 reference workers compensation insurance?

10 A. Yes, it does.

11 MR. MONTELEONI: Mr. Hamill, can you please take us to  
12 page 12.

13 Q. Special Agent Graves, can you please read the parenthetical  
14 under the words "Count Four" at the top of the page?

15 A. "Workers Compensation Fraud, Fourth Degree."

16 MR. MONTELEONI: Mr. Hamill, can you please scroll  
17 down through the next few pages until we come to the signature?  
18 That's fine, Mr. Hamill. Thank you.

19 Q. Special Agent Graves, does every count in this indictment  
20 reference Workers Compensation insurance?

21 A. Yes, it does.

22 MR. MONTELEONI: Now, Mr. Hamill, can you please put  
23 up page 15 of Government Exhibit 4G-1?

24 Q. Directing your attention to the center of the page, about a  
25 quarter of the way down the page, under the seal and the State

O655men1

Graves - Direct

1 of New Jersey, Office of Attorney General, Department of Law  
2 and Public Safety, Office of the Insurance Fraud Prosecutor  
3 block, please read the words in the center above the first  
4 numbered paragraph.

5 A. "Fact sheet".

6 MR. MONTELEONI: Now Mr. Hamill, can you please expand  
7 the bottom third of the page?

8 Q. Special Agent Graves, in numbered item 4a, can you please  
9 read the name under the: Deputy Attorney General assigned  
10 heading?

11 A. Thomas G. Tresansky, Jr.

12 Q. Directing your attention to the bottom quarter of the page  
13 under item 4b and under the heading "Investigators Assigned"  
14 and starting with the line detectives, please read the two  
15 names after Detectives.

16 A. Suzanna Lopez and Janessa Jones.

17 Q. Now, this document was filed in late 2016.

18 Mr. Hamill, can you please put back up Government  
19 Exhibit 1307?

20 MR. FEE: Objection, again, to the comments.

21 THE COURT: Yes, sustained. Just ask the question.

22 MR. MONTELEONI: Mr. Hamill, can you please put back  
23 up Government Exhibit 1307 and take us to slide 3?

24 Q. Special Agent Graves, what is the entity name in the lower  
25 right corner?

O655men1

Graves - Direct

1 A. Prestige Express Trucking, Inc.

2 Q. What type of document is this based on?

3 A. Bank records.

4 Q. Who does this list as the president of Prestige Express  
5 Trucking, Inc.?

6 A. The president?

7 Q. Yes.

8 A. Bienvenido A. Hernandez.

9 Q. What, if any role, did the bank documents that you reviewed  
10 for this chart indicate Hernandez had with E & K Trucking, the  
11 other entity in the bottom row of this chart?

12 A. He was CFO.

13 MR. MONTELEONI: Mr. Hamill, can you please put up  
14 Government Exhibit 1430 and take us to page 2?

15 I will now read from paragraph 9: The document marked  
16 for identification as Government Exhibit 2A-9 is a true and  
17 accurate photograph of the Bienvenido Hernandez.

18 Mr. Richenthal, can you please put up Government  
19 Exhibit 2A-9 on the board?

20 Mr. Hamill, can you please publish Government Exhibit  
21 2A-9? Mr. Hamill, can you please take us back to Government  
22 Exhibit 1307, slide 3?

23 Q. Special Agent Graves, you previously read that

24 E & K Trucking listed Elvis Parra as president. Is Elvis Parra  
25 listed as president for Prestige Express Trucking?

O655men1

Graves - Direct

1 A. No, he is not.

2 Q. What, if any role, did the bank documents you reviewed  
3 indicate that he has at Prestige Express Trucking?

4 A. He was listed as a signer on the bank account.

5 MR. MONTELEONI: Mr. Hamill, can you please take us to  
6 slide 4?

7 Q. Special Agent Graves, what does this reflect?

8 A. The relationship between Phoenix Risk Management, LLC, and  
9 Prestige Express Trucking, Inc.

10 Q. Can you please read the black text next to the red arrow  
11 between Phoenix Risk Management, LLC and Prestige Express  
12 Trucking, Inc.?

13 A. Acts as insurance broker.

14 Q. Let's look at one of the documents that is cited in this  
15 red arrow.

16 Mr. Hamill, can you please put up Government Exhibit  
17 J103?

18 Q. Directing your attention to the email at the bottom page  
19 and at the top of page 2 -- if you can scroll down a little  
20 bit, Mr. Hamill, thank you -- can you please read the display  
21 name and e-mail address of sender of that lower message?

22 A. Bien Hernandez. Bien.hdez@prestigeexpress.com.

23 Q. Can you please read the body of the e-mail?

24 A. Certificate of insurance with Blue Cargo Group as an  
25 additional insured, sent directly to Blue Cargo from carrier's

O655men1

Graves - Direct

1 insurance provider.

2 Q. Directing your attention one e-mail up -- if you can take  
3 us up a bit, Mr. Hamill, thank you -- who responds to Bien  
4 Hernandez?

5 A. Ana Peguero.

6 MR. MONTELEONI: Now, Mr. Hamill, can you please  
7 scroll up to the top e-mail?

8 Q. Special Agent Graves I'm not going to ask you to read the  
9 next message from Bien Hernandez but focusing on the top  
10 e-mail, what is the date of the top e-mail?

11 A. Wednesday, June 14, 2017.

12 Q. And when is that in relation to the December 16, 2016 date  
13 of the indictment that we looked at?

14 A. Six months later.

15 Q. Who sends the top e-mail?

16 A. Ana Peguero.

17 Q. Who is the top e-mail to?

18 A. Bien Hernandez.

19 Q. Can you please read the subject line?

20 A. Re: Insurance certificate needed.

21 Q. Can you please read the body?

22 A. Hello. Please see attached certificate.

23 MR. MONTELEONI: Mr. Hamill, can you please take us to  
24 page 3 of Government Exhibit J103?

25 Q. Special Agent Graves, directing your attention to the top

O655men1

Graves - Direct

center, can you please read the large bold letters?

A. Certificate of liability insurance.

Q. Directing your attention down to the left under the insured heading, can you please read the first line under the insured heading?

A. Prestige Express Trucking, Inc.

Q. Directing your attention a bit up from that to the left in the producer box, can you please read the first line in the producer box?

A. Phoenix Risk Management, LLC.

Q. Over to the right of the producer box, directing your attention to the contact name, can you please read the contact name?

A. Ana Peguero.

MR. MONTELEONI: And directing your attention to the large box in the center, Mr. Hamill, if you could expand from the coverages line down to the certificate holder line? Thank you.

Q. Special Agent Graves, directing your attention to the large box in the center under the heading "coverages", directing your attention down to the left side down by the letter C, can you please read the two bolded lines to the right of the letter C starting with "workers"?

A. Workers Compensation and Employers' Liability.

Q. Directing your attention to the policy number column on the

O655men1

Graves - Direct

1 Workers Compensation and Employers Liability row, I am not  
2 going to ask you to read the whole number but is there a number  
3 listed there in the policy number column?

4 A. Yes, there is.

5 MR. MONTELEONI: So, Mr. Hamill, can you please put  
6 back up Government Exhibit 1303, page 1?

7 Q. Directing your attention to row 2, what is the date on row  
8 2?

9 A. January 30, 2018.

10 Q. How does that compare to the date of the Workers  
11 Compensation certificate that we just saw?

12 A. Approximately six months later.

13 Q. Who does Ana Peguero send an e-mail to on January 30th,  
14 2018?

15 A. Andy Aslanian.

16 Q. Can you please read the description of the e-mail in line  
17 2?

18 A. Reporting that Detective Lopez contacted her about her  
19 insurance, Prestige Express Trucking, and requested a 2/1/2018  
20 meeting.

21 Q. Directing your attention to row 3, who does this reflect  
22 sends an e-mail on January 31, 2018?

23 A. Andy Aslanian.

24 MR. MONTELEONI: Mr. Richenthal, can you please put  
25 Government Exhibit 2A-8 back on the board?

O655men1

Graves - Direct

1 Q. Let's look at this e-mail.

2 Mr. Hamill, can you please put up Government Exhibit  
3 4E-4?

4 Special Agent Graves, directing your attention to the  
5 salutation in the beginning of the body of the e-mail, can you  
6 please read the two words before the colon?

7 A. "Detective Lopez."

8 Q. Directing your attention to the "to" line, can you please  
9 read the e-mail address that this e-mail is to?

10 A. Lopez@s@njdcj.org.

11 MR. MONTELEONI: Mr. Hamill, can you please put up to  
12 one side Government Exhibit 4G-1 and go to the bottom of page  
13 15?

14 Q. Special Agent Graves, directing your attention to the  
15 detective line near the bottom, can you please remind the jury  
16 of just the name of the first detective listed?

17 A. Suzanna Lopez.

18 MR. MONTELEONI: Mr. Hamill, can you take us to page 1  
19 of Government Exhibit 4G-1 and expand the top on the left?

20 Q. Directing your attention to the letterhead on the top of  
21 page 1 of Government Exhibit 4G-1, can you please read the line  
22 after Department of Law and Public Safety?

23 A. Division of Criminal Justice.

24 Q. And looking at Government Exhibit 4E-4, can you please read  
25 just the e-mail domain of the Lopez's e-mail address that Andy



O655men1

Graves - Direct

1 Aslanian sends the e-mail to?

2 A. Njdcj.org.

3 Q. What are the initials of New Jersey Division of Criminal  
4 Justice?

5 A. N-J-D-C-J.

6 MR. MONTELEONI: If you can take down Government  
7 Exhibit 4G-1, Mr. Hamill? Thank you.

8 Q. Special Agent Graves, directing your attention to  
9 Government Exhibit 4E-4, what is the date of Andy Aslanian's  
10 e-mail to Detective Lopez?

11 A. Wednesday, January 31, 2018.

12 Q. Please read the subject line above the "from" line?

13 A. Prestige Express Trucking.

14 Q. Can you please read the first two sentences of the body of  
15 the e-mail after Detective Lopez?

16 A. This office has been retained by Ana Peguero and her  
17 employer regarding your desire to obtain information from her  
18 regarding one of their insureds, namely Prestige Trucking. It  
19 appears as if you are attempting to start a sensitive  
20 investigation and accordingly, I have instructed her as well as  
21 anyone affiliated in that office, not to speak or give any  
22 statements to you outside of my presence.

23 Q. Can you please read the next sentence starting:  
24 Accordingly?

25 A. Accordingly, she will not be available for any interview

O655men1

Graves - Direct

1 with you on February 1st.

2 Q. And now, directing your attention to that first sentence,  
3 can you please remind the jury who Andy Aslanian says his  
4 office has been retained by, as well as Ana Peguero?

5 A. Her employer.

6 MR. MONTELEONI: Mr. Hamill, can you please put up  
7 Government Exhibit 1435, page 23?

8 I will now read paragraph 23 of Government Exhibit  
9 1435: The physical exhibit marked for identification as  
10 Government Exhibit E100 is a cell phone assigned to the call  
11 number -- and there is a call number here ending in 3520 --  
12 which the FBI lawfully seized from José D. Uribe on June 16,  
13 2022, pursuant to a court-authorized search warrant.  
14 Government Exhibit E100 is referred to in this stipulation as  
15 the Uribe cell phone.

16 Mr. Hamill, can you please take us to page 25?

17 I will now read paragraph 25 of Government Exhibit  
18 1435: The documents marked for identification as Government's  
19 Exhibits E301 through E-305 are true and correct copies of  
20 records extracted from data files the FBI lawfully obtained  
21 from Google pursuant to a court-authorized search warrant for  
22 the contents of an e-mail account with e-mail address  
23 greendaytransport229@gmail.com, which is associated in Google  
24 records with the call number of the Uribe cell phone. The  
25 e-mail account greendaytransport229@gmail.com is referred to in

O655men1

Graves - Direct

1 this stipulation as the greendaytransport229 Uribe gmail  
2 account.

3 Now, Mr. Hamill, can you please put up what is in  
4 evidence as Government Exhibit E304 and expand the bottom  
5 e-mail of the page?

6 Q. Special Agent Graves, directing your attention to the  
7 forwarded message, can you please expand it a little farther  
8 down so we can see the signature line?

9 Directing your attention to the forwarded message from  
10 an individual named Jason Barber, who is this e-mail to?

11 A. Greendaytransport229@gmail.com.

12 Q. Directing your attention to the last two lines of gray text  
13 on the page on the top line, can you please read from "Jason  
14 Barber" to "Extra Mile"?

15 A. "Jason Barber, account manager/logistic coordinator Extra  
16 Mile".

17 Q. Can you please read the subject line of the e-mail Jason  
18 Barber sends to greendaytransport229@gmail.com?

19 A. "Insurance".

20 Q. Can you please read the first line of the body?

21 A. "Please send me updated insurance."

22 MR. MONTELEONI: Now, Mr. Hamill, can you please  
23 expand all of the text on the page so we can see the top e-mail  
24 also?

25 Q. Special Agent Graves, who does greendaytransport229 forward

O655men1

Graves - Direct

1 Jason Barber's e-mail insurance to?

2 A. Ana Peguero.

3 Q. Please read the e-mail address listed for Peguero?

4 A. Phoenixrm.peguero@gmail.com.

5 Q. What are the initials of the phrase: Risk Management?

6 A. RM.

7 Q. What is the display name of the

8 greendaytransport229@gmail.com user in this gmail?

9 A. José Uribe.

10 Q. Please read the body text what the user with the display  
11 name José Uribe writes to Ana Peguero when forwarding Jason  
12 Barber's e-mail saying please send me updated insurance?

13 A. "Please send over ASAP."

14 MR. MONTELEONI: Mr. Hamill, can you please put up  
15 Government Exhibit 1430, page 2?

16 I will now read paragraph 5: The document marked for  
17 identification as Government Exhibit 2A-5 is a true and  
18 accurate photograph of José D. Uribe.

19 Mr. Richenthal can you please put up Government  
20 Exhibit 2A-5 on the board.

21 Mr. Hamill, can you please publish Government Exhibit  
22 2A-5? Mr. Hamill, can you please take us back to Government  
23 Exhibit 1303 page 1?

24 Q. Directing your attention to line 5 on March 28, 2018, at  
25 1:06 p.m., who is José Uribe listed as texting at that time?

O655men1

Graves - Direct

1 A. Wael Hana.

2 Q. Can you please read what Uribe texts Hana according to the  
3 chart?

4 A. "If you can talk, give me a call."

5 Q. By the way, do you have any personal knowledge of these  
6 communications besides what the documents reflect?

7 A. No, I do not.

8 Q. Do you have any personal knowledge of any of the events  
9 listed here as occurring between December 16, 2016 and June 29,  
10 2022 because that is what the documents reflect?

11 A. No. Only what the documents reflect.

12 Q. What are your answers to my questions about these events  
13 based on?

14 A. Based on my review of the documents and review of the  
15 charts.

16 Q. So, I'm not going to ask you to read all the next few lines  
17 but today reflects Hana and texting Uribe several times that  
18 afternoon?

19 A. Yes.

20 MR. MONTELEONI: Mr. Hamill, if you could take us to  
21 page 2?

22 Q. Directing your attention to line 13 at 7:35 p.m. on  
23 March 28, 2018, who does that reflect that José Uribe calls?

24 A. Andy Aslanian.

25 Q. How long is that call?

O655men1

Graves - Direct

1 A. Ten minutes, 8 seconds.

2 Q. If the call from José Uribe to Andy Aslanian starts at  
3 7:35 p.m. and is about 10 minutes long, about when does it  
4 finish?

5 A. Approximately 7:45 p.m.

6 Q. Directing your attention to the next line, what does Uribe  
7 do at 7:45 p.m.?

8 A. He calls Wael Hana.

9 Q. About how much time passes between Uribe getting off the  
10 phone with Andy Aslanian and calling Wael Hana, according to  
11 the chart?

12 A. Moments.

13 Q. Skipping down to line 16 at 9:02 p.m., first of all, what  
14 do the brackets in that "Detail" cell mean?

15 A. That means that portion is a translation.

16 Q. And what language are they translated from in the case of  
17 this chart?

18 A. Spanish.

19 Q. Please read the translation of what this line reflects that  
20 Uribe writes to Hana.

21 A. "Michael Critchley, but he's not officially in court yet."

22 Q. Directing your attention to the next line, what is the  
23 date?

24 A. April 4, 2018.

25 Q. By the way, actually before we move on to that next line,

O655men1

Graves - Direct

1 let's go back for a moment.

2 MR. MONTELEONI: Mr. Hamill, can you please --

3 Q. Let's go back for a moment. First, when Uribe texts Hana,  
4 according to the chart, what is translated as: Michael  
5 Critchley, but he's not officially in court yet. What is the  
6 date of that message?

7 A. March 28, 2018.

8 MR. MONTELEONI: Mr. Hamill, can you please take us  
9 back to page 1? Now, directing your attention to line 10 if  
10 you can expand line 10, Mr. Hamill?

11 Q. Can you please read the date of line 10?

12 A. March 28, 2018.

13 Q. Let's look at the document that is cited in this line.

14 MR. MONTELEONI: Mr. Hamill, can you please put up  
15 Government Exhibit 4G-2?

16 Q. Directing your attention about a third of the way down the  
17 page to the left of the caption of State of New Jersey v. Elvis  
18 Parra, can you please read the bolded word starting:  
19 Substitution?

20 A. "Substitution of attorney."

21 Q. Can you please read the main paragraph?

22 A. "It is hereby agreed, by and between the parties, that  
23 Critchley, Kinum and DeNoia, LLC, 75 Livingston Avenue,  
24 Roseland, New Jersey, is hereby substituted as attorney for  
25 defendant, Elvis Parra. Withdrawing counsel represents that he

O655men1

Graves - Direct

1 has provided the superseding attorney with all discovery he  
2 received from the prosecutor pursuant to R1:11-2A-3."

3 Q. Directing your attention to the signature line on the  
4 right, can you please read the two lines underneath the  
5 signature?

6 A. "Howard M. Dorian, Esq."

7 Q. And the next line after that?

8 A. "Withdrawing attorney."

9 Q. The signature line on the left, please read the two lines  
10 underneath that signature.

11 A. "Michael Critchley, Esq., superseding attorney."

12 MR. MONTELEONI: Let's go back to Government Exhibit  
13 1303, page 2, Mr. Hamill? Thank you.

14 Q. Directing your attention to line 17 now, on April 4, 2018  
15 at 2:02 p.m., can you please read what it reflects that José  
16 Uribe texts to Wael Hana then?

17 A. The content of the text?

18 Q. Yes.

19 A. "Brother, check if my wallet is in Andy's car."

20 Q. Directing your attention two lines down to line 19, what  
21 does it reflect that Hana writes to Uribe at 2:33 p.m.?

22 A. I got it.

23 Q. Directing your attention a few lines down to line 22, what  
24 does it reflect that Uribe writes to Hana at 6:31 p.m.?

25 A. "The deal is to kill and stop all investigation. I am



O655men1

Graves - Direct

1 talking to Andy and he is falling asleep."

2 MR. MONTELEONI: Mr. Hamill, can you please put up to  
3 one side Government Exhibit 132, page 6? Mr. Hamill, if you  
4 could just expand line 71 in a way where you can still see  
5 1303? Thank you.

6 Q. Special Agent Graves, directing your attention to line 71  
7 of Government Exhibit 1302, can you please read the date that  
8 that chart reflects that photograph was texted?

9 A. March 13, 2018.

10 Q. How does the date which chart reflects that Uribe texts  
11 Hana the deal is to kill and stop all investigation on  
12 Government Exhibit 1303, compare to the date of this  
13 photograph?

14 MR. FEE: Objection, your Honor. This is not the  
15 chart that this witness worked on. He is just comparing other  
16 exhibits, other charts.

17 THE COURT: Is that true, sir?

18 MR. MONTELEONI: That is true but it is in evidence.

19 THE COURT: I will allow it. If it is in evidence, I  
20 will allow it.

21 A. The date in March is a couple -- approximately a couple  
22 weeks before the date in April.

23 MR. MONTELEONI: You can take down Government Exhibit  
24 1302, Mr. Hamill. Thank you.

25 Q. Directing your attention to the next line on Government

O655men1

Graves - Direct

1 Exhibit 1303, page 2, line 23, what does it reflect that Uribe  
2 writes to Hana at 7:17 p.m. on April 4?

3 A. "If this shit about truckers workers compensation keeps  
4 going, how you going to move the containers out of port?"

5 MR. MONTELEONI: Mr. Hamill, can you please put up to  
6 one side slide 1 of Government Exhibit 1307?

7 Q. Special Agent Graves, can you remind the jury of the name  
8 of the company that Elvis Parra is listed as president here?

9 THE COURT: She has already done that. Next.

10 Q. Please remind the jury what type of insurance was mentioned  
11 in the counts of the indictment included Government  
12 Exhibit 4G-1?

13 MR. FEE: Objection.

14 THE COURT: Asked and answered.

15 MR. MONTELEONI: So you can take down Government  
16 Exhibit 1307, Mr. Hamill. Thank you.

17 Q. Directing your attention two lines down to line 25, what  
18 type of file does this reflect that Hana texts Nadine Arslanian  
19 on May 10, 2018?

20 A. Sends two images of Parra GJ transcript pages.

21 MR. MONTELEONI: Let's look at these pictures.  
22 Mr. Hamill. Can you please put up what is in evidence  
23 Government Exhibit B105-W?

24 Q. Special Agent Graves, is this an electronic document or a  
25 photograph of a physical document?

O655men1

Graves - Direct

1 A. It appears to be a photo of a physical document.

2 Q. Please read the words under: In the matter of, near the  
3 top left?

4 A. "In the matter of state grand jury investigation."

5 Q. Directing your attention a few lines down to the left, can  
6 you please read what is written after date?

7 A. December 16, 2016.

8 Q. How does that date compare to the date of the indictment of  
9 Elvis Parra we were previously looking at?

10 A. The same.

11 MR. MONTELEONI: Let's look at the other one.

12 Mr. Hamill, can you please put up what is in evidence as  
13 Government Exhibit B105-V?

14 Q. Special Agent Graves, near the top under the word "witness"  
15 can you please read what is written under "witness"?

16 A. "Detective Suzanna Lopez."

17 Q. How does that title and last name compare to the person  
18 that Andy Aslanian emailed to say he was not making Ana Peguero  
19 available for an interview?

20 A. It is the same.

21 MR. MONTELEONI: Go ahead a few weeks, Mr. Hamill.

22 Can you please put back up Government Exhibit 1303, page 3?

23 Q. Special Agent Graves, directing your attention to line 27,  
24 listed as June 18, 2018 at 2:48 p.m., who does Nadine Arslanian  
25 leave a voicemail for according, to this line?

O655men1

Graves - Direct

1 A. Wael Hana.

2 MR. MONTELEONI: I would like to listen to the  
3 voicemail, and with the Court's permission, would like to ask  
4 Mr. Hamill to put up Government Exhibit 216-1-TR as an aid to  
5 the jury.

6 THE COURT: You understand, ladies and gentlemen, the  
7 TR is simply an aid, it is not evidence.

8 Go ahead.

9 MR. MONTELEONI: Mr. Hamill, if you could put that up  
10 and play Government Exhibit C216-1 when you are ready?

11 (audio file played)

12 MR. MONTELEONI: Mr. Hamill can you please return us  
13 to Government Exhibit 1303, page 3?

14 Q. Special Agent Graves, directing your attention to line 28,  
15 how long is it that it reflects that Hana texts Nadine after  
16 Nadine left the voicemail saying she needs to know what names  
17 to put it under about the fund raisers?

18 A. Approximately two minutes.

19 Q. Can you please read what it reflects that Hana texts Nadine  
20 at 3:30 p.m.?

21 A. I apologize. Approximately half an hour, 40 minutes later  
22 he texts: "José Uribe 201-681-3520."

23 Q. Directing your attention to the next line on line 29, can  
24 you please read what Nadine rights to Hana at 3:44 p.m.?

25 A. "He text me back that he will have Samantha reach out to

O655men1

Graves - Direct

1 Jose. She probably already did by now."

2 Q. Directing your attention to line 30, what does the chart  
3 reflect that Nadine texts Hana at 10:58 p.m. on June 25, 2018?

4 A. She sends a series of pictures of Wael Hana, Nadine  
5 Arslanian, Robert Menendez, and José Uribe.

6 Q. Directing your attention to two lines down at July 4, 2018  
7 at 6:03 p.m., can you please read the first word in the detail  
8 cell?

9 A. "E-mail."

10 Q. Who does Uribe e-mail, according to this line?

11 A. Bienvenido Hernandez.

12 MR. MONTELEONI: Mr. Hamill, can you please put up to  
13 one side Government Exhibit 1307?

14 Q. What is Hernandez' role at E & K Trucking?

15 A. CFO.

16 Q. What is his role at Prestige Express Trucking?

17 A. President.

18 Q. Let's look at the e-mail.

19 MR. MONTELEONI: Mr. Hamill, can you please put up  
20 Government Exhibit E301?

21 Q. Special Agent Graves, can you please read the subject line?

22 A. "Fwd: Senator Menendez invitation."

23 MR. MONTELEONI: Mr. Hamill, can you please take us to  
24 the attachment, page 2 of Government Exhibit E301?

25 Q. Special Agent Graves, directing your attention under the

O655men1

Graves - Direct

1 logo at the top, can you please read from, starting from "José  
2 Uribe" down through "victory fund"?

3 A. "José Uribe invites you to a cocktail reception in support  
4 of Senator Bob Menendez to raise funds for Menendez Victory  
5 Fund."

6 Q. Can you please read the date?

7 A. Friday, July 13, 2018.

8 Q. Directing your attention down to the bottom about third of  
9 the page, can you please read the line under suggested  
10 contribution?

11 A. \$5,000 per person.

12 Q. Let's return to the chart.

13 MR. MONTELEONI: Mr. Hamill, can you please take us  
14 back to Government Exhibit 1303, page 3?

15 Q. Directing your attention back to that line, line 32, can  
16 you please read the translation of what José Uribe e-mails to  
17 Bienvenido Hernandez at 6:03 p.m. on July 4, 2018 in this  
18 e-mail we just looked at?

19 A. "We can't fail."

20 Q. Directing your attention to the next line, who does José  
21 Uribe e-mail at 1:44 p.m. on July 12, 2018?

22 A. Samantha Maltzman.

23 MR. MONTELEONI: Mr. Hamill, please put up what is in  
24 evidence as Government Exhibit E302? Mr. Hamill, can you  
25 please expand the bottom e-mail on page 1?

O655men1

Graves - Direct

1 Q. Special Agent Graves, can you please read the e-mail  
2 address for the user with the display name Samantha Maltzman?

3 A. Smaltzman@menendezfornj.com.

4 Q. Please read the subject line of e-mail?

5 A. "Re: Fwd: Senator Menendez draft invitation."

6 Q. Please read the first line of the body of the e-mail?

7 A. "List of contributors."

8 Q. I'm not going to ask you to read them all out loud, but are  
9 there a number of names listed under list of contributors?

10 A. Yes, there are.

11 MR. MONTELEONI: Mr. Hamill, can you please scroll  
12 down to the bottom of page 1, top of page 2?

13 Q. Special Agent Graves, can you please read the top line of  
14 page 2?

15 A. List of friends.

16 Q. Direct your attention under list of friends and then  
17 skipping the line that reads Ms. Monica Bossi, can you please  
18 read the next three lines?

19 A. "Ms. Nadine Arslanian, Mr. Wael Hana, Mr. Andy Aslanian."

20 Q. Please read the last two lines on the list of friends?

21 A. "Mr. Fernando Barruos. Mr. George Martinez."

22 MR. MONTELEONI: Mr. Hamill, can you take us to the  
23 top e-mail?

24 Q. Special Agent Graves, directing your attention to the top  
25 e-mail from José, can you please read the two lines after: I

O655men1

Graves - Direct

1 forgot two more friends?

2 A. "Bienvenido Hernandez. Evis Parra."

3 MR. MONTELEONI: Mr. Hamill, can you please take us  
4 back to the chart, and let's go a few months forward to page 4  
5 of Government Exhibit 1303?

6 Q. Special Agent Graves, directing your attention to line 37,  
7 on October 10, 2018 at 1:11 p.m., who does this reflect sends  
8 Andy Aslanian an e-mail?

9 A. Detective Lopez.

10 Q. Can you please read the quoted language that the chart  
11 reflects she e-mails him?

12 A. "I'm looking to set up a meeting to speak with your client,  
13 Ana Peguero, in regards to Prestige Express Trucking, Inc.  
14 Please let me know your availability."

15 Q. Directing your attention a few lines down to line 43 on  
16 October 12, 2018 at 4:10 p.m.; who does Andy Aslanian text?

17 A. José Uribe.

18 Q. Please read what he texts Uribe then?

19 A. "Call me when you can -- call me when you get this text."

20 Q. Directing your attention to the next line, line 44, at  
21 4:15 p.m., would you please read what Uribe then writes to Andy  
22 Aslanian, according to the chart?

23 A. "I don't like the news. No. No."

24 Q. Directing your attention to line 45, who does José Uribe  
25 text at 4:18 p.m.?



O655men1

Graves - Direct

1 A. Wael Hana.

2 Q. Can you please read what it reflects Uribe texts Hana?

3 A. "If you can talk, give me a call."

4 Q. About how long is it that Uribe texts this to Hana after he  
5 texted Andy Aslanian at 4:15 p.m. saying: I don't like the  
6 news. No. No.

7 A. A few minutes.

8 Q. Directing your attention to the next line, can you please  
9 read what Uribe texts Hana at 4:41 p.m.?

10 A. "Did you get my text?"

11 Q. About how much time does the chart reflect passed from when  
12 Uribe texts "If you can talk, give me a call" to when he texts  
13 "Did you get my text?"

14 A. Approximately 20 minutes.

15 Q. Directing your attention to the next line, can you please  
16 read what it reflects that Andy Aslanian writes back to  
17 Detective Lopez at 4:45 p.m.?

18 A. "I expect that surgery will keep me out of the office for  
19 approximately 10 days. I, therefore, will not be in a position  
20 to schedule an appointment with you until sometime in the  
21 middle or end of November."

22 Q. Directing your attention to line 50, on October 12, 2018,  
23 on the second 4:55 p.m. entry, can you please read what Uribe  
24 texts Hana?

25 A. "I am fucked, man."

O655men1

Graves - Direct

1 Q. Directing your attention to the next line, please read what  
2 it reflects Uribe texts Hana several hours later at 11:09 p.m.?

3 A. "The whole thing is going bad. I have no face to talk to  
4 my family."

5 Q. Directing your attention to the next two lines, can you  
6 please read Hana's two 11:09 p.m. texts in order?

7 A. "Don't worry. She is going crazy because what's going with  
8 E & K."

9 Q. What company is Elvis Parra the president of?

10 A. E & K Trucking, Inc.

11 Q. Directing your attention to the next line, line 54, can you  
12 please read what Uribe texts Hana at 11:49 a.m. on October 13,  
13 2018?

14 A. "Morning, sir. Please be sure that your friend knows about  
15 this. Just as a last favor."

16 Q. Directing your attention to the next line, can you please  
17 read Hana's response listed at 11:50 p.m.?

18 A. I will.

19 Q. On line 56, please read what it reflects Uribe's reply is  
20 at 11:51 a.m.?

21 A. "I will handle this from now on. I am going to face it  
22 everyone. I will no allow anybody to harm my Ana."

23 MR. MONTELEONI: Mr. Hamill can you please take us to  
24 page 5 of Government Exhibit 1303?

25 Q. Directing your attention to the next two lines, what type

O655men1

Graves - Direct

1 of files does Uribe text to Hana?

2 A. Photograph of printout of 10/12/2018.

3 Q. Well, let's just look quickly at the photographs.

4 MR. MONTELEONI: Mr. Hamill, please put up Government  
5 Exhibit E102-C.

6 Q. Is this a photograph of one of the e-mails you recently  
7 read from on the chart?

8 A. Yes, it is.

9 Q. Is Uribe copied on this e-mail between Andy Aslanian and  
10 Detective Lopez?

11 A. Not as it appears on this printout.

12 Q. Let's look at the other one.

13 MR. MONTELEONI: Mr. Hamill, can you please put up  
14 Government Exhibit E 102-B.

15 Q. Special Agent Graves, is this a photograph of Aslanian's  
16 response to Detective Lopez that you just read?

17 A. Yes, it is.

18 Q. Is Uribe copied on this e-mail between Andy Aslanian and  
19 Detective Lopez?

20 A. Not that it appears on the printout.

21 Q. Who texts these photographs of the printouts of these  
22 e-mails to Hana?

23 A. I need to look back at the chart.

24 Q. Let's take a look.

25 MR. MONTELEONI: Can we go to page 5 of Government

O655men1

Graves - Direct

1 Exhibit 1303?

2 A. José Uribe.

3 MR. MONTELEONI: Mr. Hamill, can you please put up  
4 Government Exhibit 1303, page 6?

5 Q. Now, directing your attention to line 78 on November 27,  
6 2018, 12:16 p.m., can you please read the description in the  
7 detail cell of what a person named Renee Shafran texts Tom  
8 Tresansky or e-mails Tom Tresansky, Michael Critchley, and some  
9 others?

10 A. "From law clerk to the Honorable Arthur J. Batista, JSC,  
11 attaches decision and order denying motion to dismiss Elvis  
12 Parra indictment."

13 Q. Let's go to line 79. What is the date on line 79?

14 A. December 12, 2018.

15 Q. What is the time on that line?

16 A. 7:28 p.m.

17 Q. Please read what it reflects that Nadine texts the user  
18 identified as Ro Sorce at 7:28 p.m.?

19 A. "I am four miles away due to two detours."

20 Q. What time is the text on line 80 sent?

21 A. 7:34 p.m.

22 Q. About how long is that after Nadine texted Ro Sorce: I am  
23 four miles away due to two detours; according to the chart?

24 A. A few minutes after.

25 Q. Please read what Nadine texts Ro Sorce at 7:34 p.m.?

O655men1

Graves - Direct

1 A. "911, call me."

2 Q. Skipping a line, what does Nadine text Ro Sorce at  
3 7:54 p.m., according to the chart?

4 A. "I'm sitting in ambulance."

5 Q. Looking at the next day, line 84, December 13, 2018 at  
6 9:38. How long is the voicemail on this line after Nadine  
7 texts on December 12, 2018 saying: I'm sitting in ambulance?

8 A. The following morning.

9 Q. Who is the voicemail for?

10 A. The voicemail is left to?

11 Q. Left for, yes.

12 A. Robert Menendez.

13 MR. MONTELEONI: Let's listen to this voicemail, and  
14 with the Court's permission, I would like to also ask  
15 Mr. Hamill to put up Government Exhibit A109-B-TR as an aid to  
16 the of jury?

17 THE COURT: You understand, TR is only an aid.

18 MR. MONTELEONI: Mr. Hamill, if you can put that up  
19 and play Government Exhibit A109-B when you are ready.

20 (audio played)

21 MR. MONTELEONI: Let's return to the timeline.  
22 Mr. Hamill, can you please take us back to Government Exhibit  
23 1303, page 6?

24 BY MR. MONTELEONI:

25 Q. Special Agent Graves, directing your attention to line 85

O655men1

Graves - Direct

1 at the bottom of this page, December 13, 2018 at 3:53 p.m., can  
2 you please read what Robert Menendez texts to Nadine?

3 A. "Hope you're OK. I was worried about you. You had a  
4 traumatic experience. Watch yourself driving."

5 MR. MONTELEONI: Mr. Hamill, can you please take us to  
6 page 7 of Government Exhibit 1303?

7 Q. Directing your attention to this text line, line 86, please  
8 read what Nadine texts to Menendez at 12:58 p.m.?

9 A. "This is my rental."

10 Q. Directing your attention to the next line, can you please  
11 read just the quoted text from the voice message left by the  
12 user identified as Nariah Progressive, for Nadine on  
13 December 14, 2018?

14 A. "Hi. This message is for Nadine. This is Nariah giving  
15 you a call from Progressive, calling in regards to the accident  
16 you were involved in on December 12. When you can, give me a  
17 call back at 732-362-3288. In reference, your claim number  
18 182475700."

19 (Continued on next page)  
20  
21  
22  
23  
24  
25

O65Wmen2

Graves - Direct

1 Q. Now, going to the next line, line 88, directing your  
2 attention to December 17, 2018, at 4:01 p.m., can you please  
3 read the description of what Renee Shafran sends Tom Tresansky  
4 and Michael Critchley?

5 A. "Email, from law clerk to the Hon. Arthur J. Batista,  
6 J.S.C. attaching trial order in State of New Jersey v. Elvis  
7 Parra setting trial for April 22, 2019."

8 MR. MONTELEONI: Let's look briefly at this order.

9 Mr. Hamill, can you please put up Government Exhibit  
10 4G-4, page 2.

11 Q. Special Agent Graves, directing your attention about a  
12 third of the way down the first page, can you please read the  
13 first numbered paragraph after it is hereby ordered on this  
14 17th day of December 2018 as follows?

15 A. "The trial in the above matter is scheduled for Monday,  
16 April 22, 2019."

17 Q. Who is listed as the defendant?

18 A. Elvis Parra.

19 MR. MONTELEONI: Mr. Hamill, can you please take us to  
20 page 3.

21 Q. Special Agent Graves, what is written under the signature  
22 way down the page on the right?

23 A. "Hon. Arthur J. Batista, J.S.C."

24 MR. MONTELEONI: Let's return to the timeline.

25 Mr. Hamill, could you please put back up Government

O65Wmen2

Graves - Direct

1 Exhibit 1303 and take us to page 8.

2 Q. Special Agent Graves, can you please read the entry, just  
3 the text in the entry on line 90 for 5:21 p.m. on December 31,  
4 2019?

5 A. "Progressive estimate number 18-2475700-1, estimate  
6 \$3,174.14."

7 MR. MONTELEONI: Let's look at this estimate.

8 Mr. Hamill, could you please put up Government Exhibit  
9 1419, page 1.

10 I'll now read from paragraphs 1, 1a and then down  
11 through 1b of 1419:

12 "If called as a witness at trial, a representative of  
13 Progressive Corporation ('Progressive') would testify that  
14 Progressive is a car insurance company that provided an  
15 insurance policy for Nadine Arslanian. The documents marked  
16 for identification as Government Exhibit 7C-1 are true and  
17 accurate copies of recording of Progressive and are business  
18 records created and maintained by Progressive that were made at  
19 or near the time of their creation by, or from information  
20 transmitted by, a person with knowledge of the matters set  
21 forth in the records and were kept in the course of a regularly  
22 conducted activity of Progressive as a regular practice of that  
23 activity."

24 Let's look at the documents themselves.

25 Mr. Hamill, please put up Government Exhibit 7C-1.



O65Wmen2

Graves - Direct

1 Mr. Hamill, could you please take us to page 4.

2 Q. Directing your attention to the top of the page, Special  
3 Agent Graves, can you please read the top center heading?

4 A. "New Jersey police crash investigation report."

5 Q. Directing your attention still on the upper portion of the  
6 page, to the left, a few boxes down in the date-of-crash box,  
7 could you please read the date listed there?

8 A. "12/12/18."

9 Q. Directing your attention then a few lines down to the box  
10 numbered 26 that includes driver's first name, initial and last  
11 name, could you please read the name written there?

12 A. "Nadine T. Aslanian."

13 Q. Directing your attention a few lines after that, in box 35,  
14 please read the name written in owner's first name, initial and  
15 last name.

16 A. "Nadine T. Aslanian."

17 Q. Is it Aslanian or Arslanian?

18 A. Arslanian. Sorry.

19 Q. And directing your attention a few lines down, to box 46,  
20 in the vehicle-removed-to box, could you please read what's  
21 written there?

22 A. "Neil's Towing."

23 MR. MONTELEONI: Mr. Hamill, could you please take us  
24 to page 80.

25 Q. Directing your attention to the very top right, in the

O65Wmen2

Graves - Direct

1 corner, could you please read the date?

2 A. "12/31, 2018."

3 Q. Directing your attention now on the left of the page, about  
4 a quarter of the way down the page, under the big Progressive  
5 heading, please read the name after damage assessed by?

6 A. "Thomas McGuire."

7 Q. A few lines down, could you please read the date of loss?

8 A. "12/12, 2018."

9 Q. Two lines after that, can you please read what's written  
10 after deductible?

11 A. "750."

12 Q. What's a deductible?

13 A. What you pay in before an insurance company pays for the  
14 rest.

15 Q. A few lines down from that, could you please read the  
16 owner?

17 A. "Nadine Arslanian."

18 MR. MONTELEONI: Now, if you can expand the whole  
19 page, Mr. Hamill, and then expand the bottom half of the page.

20 Q. Directing your attention, Special Agent Graves, to the  
21 bottom half of the page for the line items, directing your  
22 attention to the fourth column with the heading operation,  
23 directing your attention to line 5, could you please read  
24 what's in the operation column for line 5?

25 MR. FEE: Objection, your Honor, pursuant to your

O65Wmen2

Graves - Direct

1 ruling. I don't know why we'd be highlighting.

2 THE COURT: What was the last phrase?

3 MR. FEE: I don't think, pursuant to your ruling, this  
4 should be highlighted.

5 MR. MONTELEONI: We could do line 15. It's no  
6 problem.

7 Q. Directing your attention to line 15, please read what's in  
8 the operation under line 15.

9 A. "Remove/replace."

10 Q. And can you please read what's in the dollar amount column  
11 for line 15?

12 A. "690."

13 Q. I'm not going to ask you to read them all, but are there a  
14 number of line items here?

15 A. Yes, there are.

16 MR. MONTELEONI: Mr. Hamill, could you please take us  
17 to page 82, Government Exhibit 7C-1, and expand the bottom half  
18 of the page, including the estimate totals section.

19 Q. Directing your attention to the bottom right column, where  
20 it says total labor, please read the number after total labor.

21 A. "\$2,022.82."

22 Q. \$2,025?

23 A. \$25, yeah.

24 Q. Where it says total replacement parts, could you please  
25 read the number after total replacement parts.

O65Wmen2

Graves - Direct

1 A. "\$1,585.91."

2 Q. Please read the gross total.

3 A. "\$3,924.14."

4 Q. And going down to the line with the Roman numeral IV,  
5 please read the number in the total adjustments line.

6 A. "750."

7 Q. How does that amount compare to the amount of the  
8 deductible that we were just looking at on page 81?

9 A. It's the same.

10 Q. Please read the net total.

11 A. "\$3,174.14."

12 MR. MONTELEONI: Let's return to the chart.

13 Mr. Hamill, could you please put up Government Exhibit  
14 1303, page 8.

15 Q. Directing your attention to line 103, Special Agent Graves,  
16 on January 10, 2019, could you please read what Nadine texts  
17 Menendez at 11:28 a.m.?

18 A. "*Mon amour*, does your car go in any car wash, or does it  
19 have to be a hand car wash only?"

20 Q. Please read Menendez's response at 11:30 a.m.

21 A. "No need to wash it."

22 MR. MONTELEONI: Mr. Hamill, can you please take us to  
23 page 9 of Government Exhibit 1303.

24 Q. Directing your attention to line 113, listed as January 15,  
25 2019, second entry for 2:55 p.m., please read what Nadine texts

O65Wmen2

Graves - Direct

1 to Hana.

2 A. "I don't have a car today. What are you doing? Are you  
3 going to be around my area?"

4 Q. Directing your attention to line 119, can you please read  
5 what Menendez texts to Nadine, 7:29 p.m., on January 15, 2019,  
6 according to the chart?

7 A. "Very nice. What are you driving around in?"

8 Q. Directing your attention to line 120, can you please read  
9 Nadine's response?

10 A. "I rented a Chevrolet."

11 Q. Directing your attention to line 124, what does Nadine text  
12 Hana at 8:19 p.m. on January 16, 2019?

13 A. Pictures of Wael Hana meeting with Robert Menendez.

14 MR. MONTELEONI: And before we go on, can you actually  
15 just scroll down, Mr. Hamill, so we can see some of the next  
16 page.

17 All right. I'd like to keep seeing the bottom of page  
18 9 and the top of page 10.

19 Thank you, Mr. Hamill.

20 Q. Directing your attention, Special Agent Graves, to line --  
21 let's go down to line 126 now. What's the date and time of  
22 that message?

23 A. 126?

24 Q. Yes.

25 A. January 17, 2019, at 3:05 p.m.

O65Wmen2

Graves - Direct

1 Q. How does that date compare to the January 16, 2019, date  
2 that Hana texted -- that those photographs we just looked at  
3 were texted?

4 A. You need to scroll up just to confirm.

5 MR. MONTELEONI: Scroll up for a moment.

6 A. The following day.

7 Q. Now, on line 126, who sends Hana a WhatsApp message on that  
8 day?

9 A. Elvis Parra.

10 Q. What type of file does that message contain?

11 A. Picture of search results for Michael Critchley.

12 MR. MONTELEONI: Let's take a look at the picture.

13 Mr. Hamill, can you please put up Government Exhibit  
14 C115-A.

15 Q. Special Agent Graves, directing your attention to the top  
16 center of the page, what is the time that's listed?

17 A. 3:04 p.m.

18 Q. How does that compare to the time that Parra sends this to  
19 screenshot to Hana through WhatsApp, which referenced 3:05  
20 p.m.?

21 A. A minute before.

22 Q. Directing your attention to the search bar under the word  
23 "Google," what is typed into the search bar?

24 A. "Michael Critchley."

25 Q. How does that compare to the name of Parra's defense

O65Wmen2

Graves - Direct

1 lawyer?

2 A. It's the same.

3 MR. MONTELEONI: Mr. Hamill, could you please take us  
4 to Government Exhibit 1303, page 11.

5 Q. Directing your attention to line 128, what does Hana send  
6 to Nadine at 3:06 p.m. that day?

7 A. Picture of search results for Michael Critchley.

8 Q. Directing your attention to line 132, on January 18, 2019,  
9 at 9:32 a.m., who leaves a voice message for Nadine?

10 A. Listed as Nariah Progressive.

11 MR. MONTELEONI: Let's listen to that voice mail.

12 With the Court's permission, I'd like to put up  
13 Government Exhibit B116-C-TR as an aid to the jury.

14 THE COURT: Yes. Same instruction.

15 MR. MONTELEONI: Mr. Hamill, could you put that up and  
16 please play when you're ready and please play Government  
17 Exhibit B116-C.

18 (Media played)

19 MR. RICHENTHAL: Mr. Hamill, please take us back to  
20 Government Exhibit 1303, page 11.

21 Q. Directing your attention a few lines down, to line 141, on  
22 January 21, 2019, at 11:37 a.m., who does Nadine text?

23 A. Robert Menendez.

24 Q. Please read what she texted to Menendez.

25 A. "The white laundry is done and folded the dark is in the

O65Wmen2

Graves - Direct

1 dryer. I just picked up a Rent-A-Car. I am heading to pick up  
2 Sabine from the city." Emoji.

3 MR. MONTELEONI: Mr. Hamill, could you please put up  
4 Government Exhibit -- sorry, page 12 of this exhibit, 1303.

5 Q. Directing your attention to line 149, at 11 a.m. on January  
6 22, 2019, can you please read what Nadine texts to the user  
7 identified as Patty Mark?

8 A. "Hi Blondie. I just got home. I wanted to know if Mark  
9 knows anybody at Benzel Busch or Prestige Mercedes that I could  
10 get a good price for a C-300. Bob and I went and test drove on  
11 Saturday but the prices are too high monthly to finance. He  
12 said I'm sure Mark knows somebody in the business. Miss you."  
13 Emoji.

14 Q. Directing your attention a few lines down to line 156 at  
15 11:06 a.m. on January 22, 2019, can you please read what Patty  
16 Mark is listed as texting to Nadine?

17 A. "Are you getting new or use?"

18 Q. On line 157, please read Nadine's response listed as 11:22  
19 a.m.

20 A. "New."

21 Q. Directing your attention a few lines down, to line 164,  
22 please read what Patty Mark writes at 2:55 p.m.

23 A. "What model are you getting?"

24 Q. Two lines down, on line 166, can you please read Nadine's  
25 response at 3:36 p.m.?



O65Wmen2

Graves - Direct

1 A. "Depends on the price I get I was looking at the C3 hundred  
2 convertible. Except my kids don't want convertible."

3 MR. MONTELEONI: Mr. Hamill, can you please scroll us  
4 down a little bit farther.

5 Thank you.

6 Q. Directing your attention to line 172, first of all, what is  
7 the date of that line?

8 A. January 23, 2019.

9 Q. And how does that date compare to the date of those texts  
10 between Nadine and Patty Mark that we just looked at?

11 A. It's the following day.

12 Q. Whose search history is listed on line 172?

13 A. Robert Menendez.

14 Q. Please read the quoted search history at 10:48 a.m.

15 A. "How much does a Lincoln MKZ sell for."

16 MR. MONTELEONI: Mr. Hamill, could you please put up  
17 what's in evidence as Government Exhibit 1F-1337.

18 THE COURT: When you find a logical point to break,  
19 let me give the jury its midmorning break, sir.

20 MR. MONTELEONI: All right. I think a couple more  
21 questions and it will be a logical time to break.

22 THE COURT: Proceed.

23 MR. MONTELEONI: Mr. Hamill, could you please zoom in  
24 on the rear of the car in the driveway.

25 Q. Special Agent Graves, directing your attention to the

O65Wmen2

Graves - Direct

1 picture of the car in the driveway, can you please read the  
2 word written across the rear of the car in silver letters?

3 A. "Lincoln." I'm sorry.

4 MR. MONTELEONI: You already got it.

5 Q. And now can you please read the three letters on the lid of  
6 the trunk under the taillight strip to the left and right of  
7 the little white circular emblem?

8 A. "MKZ."

9 Q. So how does that make and model compare to the search terms  
10 that we just read in Menendez's search history?

11 A. It's the same.

12 MR. MONTELEONI: Mr. Hamill, can you please put back  
13 up Government Exhibit 1303, page 12.

14 Q. Special Agent Graves, directing your attention first to  
15 line 173, the entry after the search how much does a Lincoln  
16 MKZ sell for -- I'm not going to ask you to read this entire  
17 lengthy URL, but can you read after the www.google.com and then  
18 the special characters, please read from HTTPS, within there up  
19 to, slash cars?

20 A. "Https://www.cargurus.com/cars/2018-Lincoln-MKZ-price."

21 MR. MONTELEONI: You don't have to read all the rest  
22 of the numbers and letters.

23 Q. Now, directing your attention to the next line, at 10:49  
24 a.m., whose search history does this line reflect?

25 A. Robert Menendez.

O65Wmen2

Graves - Direct

1 Q. And can you please read the quoted language in Menendez's  
2 search history?

3 A. "How much does a Mercedes C-300 cost."

4 Q. About how much time passes between when his web activity  
5 history indicates a cargurus.com link and reads how much does a  
6 Mercedes C-300 cost?

7 A. A minute later.

8 MR. MONTELEONI: This is a good time for a break.

9 THE COURT: All right.

10 Ladies and gentlemen, take a break. Ten minutes.

11 (Continued on next page)

O65Wmen2

Graves - Direct

1 (Jury not present)

2 THE COURT: You may step down, ma'am.

3 (Witness not present)

4 MR. FEE: Your Honor, I just want to plant a flag. I  
5 think a new thing Mr. Monteleoni is doing with this witness is  
6 showing her essentially any document that is already in  
7 evidence, and I just want to make sure we're all aware of that  
8 so when the defense does the same thing --

9 THE COURT: Documents that are in evidence as  
10 reflected in the chart.

11 MR. FEE: That's not correct, your Honor. He's  
12 showing her the summary chart he introduced through Coughlin,  
13 not referenced in this chart. He just showed her the Lincoln  
14 MKZ search photo put in through Kougemitros, not referenced in  
15 this chart. He's using this as a wide-open if it's in evidence  
16 I'm showing it.

17 THE COURT: I understand.

18 You may be seated in the courtroom.

19 MR. MONTELEONI: Your Honor, Special Agent Coughlin  
20 also read certain documents that weren't actually in the chart,  
21 and we have no problem with the agent being cross-examined on  
22 those documents. If he wants to ask her questions about the  
23 Lincoln MKZ photos, fine.

24 THE COURT: Just a moment. The defense has stated  
25 that you are showing her documents that are not referenced in

O65Wmen2

Graves - Direct

1 this chart and asking her questions about it. Apparently  
2 that's true.

3 MR. MONTELEONI: Yes, certain limited documents, and  
4 those documents are certainly within the scope of her direct,  
5 and the defense can inquire into them on cross-examination.  
6 Absolutely, there's no problem with that.

7 THE COURT: Just a moment.

8 All right. The representation of Mr. Monteleoni is  
9 that, yes, indeed, that he's doing that, but nonetheless the  
10 scope of cross is limited to the scope of direct.

11 MR. FEE: The scope of what he's doing is using other  
12 documents in evidence to make points about this chart. We  
13 should be able to do the same. We are not constrained simply  
14 by the things he likes from what is already in the record.

15 THE COURT: No, no. I'm sorry. His point is that  
16 whatever documents he's using constitute the scope of direct,  
17 and cross is limited to that.

18 MR. FEE: I know that's what he wants. That's not the  
19 appropriate view of scope. He's using --

20 THE COURT: According to the defense.

21 Go ahead.

22 MR. FEE: Well, no. According to fairness. He's  
23 using anything in the record that he likes to make a point  
24 about 1303. That's what he's doing. If there's something in  
25 the record that's a cool point for the government, I'm going to

O65Wmen2

Graves - Direct

1 show it to her. We should be permitted to do exactly the same  
2 thing, because the scope is this chart, and he is pivoting off  
3 this chart to things in the record. We should, as a matter of  
4 fairness, be able to do exactly the same.

5 MR. MONTELEONI: That's entirely inconsistent with how  
6 the cases that we cited in our letter actually analyze what the  
7 scope is. In every one of those cases, one can assume there  
8 were large numbers of documents that were in evidence that were  
9 not shown to a witness. That doesn't render those documents  
10 within the scope of their direct because some documents were  
11 shown. If you look at the *Lemire* case, if you look at the  
12 other cases that we cited, that's just not how they analyze it.

13 THE COURT: *Lemire*, is this in the 341, 342?

14 MR. MONTELEONI: Yes, in 442 --

15 THE COURT: I'm sorry. 442.

16 MR. MONTELEONI: We cited the *Lemire* case and then we  
17 also cited a Second Circuit case in which several agents gave  
18 summary testimony; that's the *Koskerides* case on page 6 of our  
19 letter. They gave summary testimony, and there was other  
20 information, it appears, in evidence, that the court excluded  
21 cross-examination on because that just wasn't what they were  
22 testifying about.

23 THE COURT: All right. I will take a look at those  
24 cases.

25 I understand the position of Mr. Fee.

O65Wmen2

Graves - Direct

1 MR. FEE: Those cases are not about what he's doing.  
2 He shouldn't have done this if he didn't want to open this  
3 door.

4 THE COURT: I understand the position.

5 MR. FEE: Thank you, your Honor.

6 MR. LUSTBERG: Your Honor.

7 THE COURT: Sir.

8 MR. LUSTBERG: Just very quickly on this, I just want  
9 to make sure I understand what Mr. Monteleoni's position is,  
10 which is that if the witness reviewed those documents, then  
11 they are within the scope of cross, regardless of whether --  
12 Right?

13 MR. MONTELEONI: If the witness is testifying to the  
14 documents, absolutely.

15 MR. LUSTBERG: So the scope is strictly limited to  
16 what was his view, limited to what's on direct. But one of the  
17 things that was discussed is that -- so this witness has said  
18 she reviewed a number of documents. We think we should be able  
19 to cross-examine her with regard to what she reviewed,  
20 regardless of whether it's in evidence.

21 THE COURT: That's all right. If she knows, you can  
22 ask her what she reviewed in connection with her work. Yes,  
23 absolutely.

24 MR. LUSTBERG: Thank you.

25 THE COURT: All right. Thank you.

O65Wmen2

Graves - Direct

1 (Recess)

2 THE COURT: Mr. Monteleoni, you should be able to  
3 finish today with her.

4 MR. MONTELEONI: It depends on how fast I'm allowed to  
5 talk.

6 THE COURT: I think the whole thing will go faster if  
7 you don't use documents that are outside of those in the chart,  
8 the underlying documents in connection with the chart.

9 MR. MONTELEONI: Your Honor, there is, and has always  
10 been, and there was with Special Agent Coughlin very limited  
11 additional exposition of these documents.

12 THE COURT: Yes, please. I understand that, but it  
13 opens the door. It truly does.

14 You may want to rethink that.

15 (Continued on next page)

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O65Wmen2

Graves - Direct

1 (Jury present)

2 THE COURT: Please be seated in the courtroom.

3 Mr. Monteleoni, you can continue.

4 Ladies and gentlemen, we'll go straight through to 1  
5 o'clock.

6 MR. MONTELEONI: Mr. Hamill, can you please put up  
7 Government Exhibit 1303 and take us to page 14 -- sorry. Can  
8 you take us to page 15.

9 Q. Directing your attention, Special Agent Graves, down to  
10 line 242, could you please read what Nadine texts to Menendez  
11 at 10:09 a.m. on January 25, 2019?

12 A. "At some point, I have to go empty the stuff out of my car  
13 in Rutherford and return this rental by 5:45 p.m."

14 MR. MONTELEONI: Mr. Hamill, can you please take us to  
15 page 16 of Government Exhibit 1303.

16 Q. Directing your attention to line 244, at 10:20 a.m. on  
17 January 25, 2019, directing your attention to the second line  
18 of this text from Nadine to Menendez reflected there, could you  
19 please read starting from "if you are busy" through words  
20 "every day"?

21 A. "If you are busy, I would love to go with you after and  
22 empty my car, it will be sad affair. 2019 is going to continue  
23 being fantastic. I think of your words every day." Emojis.

24 Q. A few lines down, at 2:31 p.m., line 248, later that day,  
25 can you please read the description of what Nadine texts

O65Wmen2

Graves - Direct

1 Menendez?

2 A. "Sends map for Neil's Automotive, 125 Railroad Avenue,  
3 Ridgefield, New Jersey, 201-440-2625."

4 Q. On the next line, line 249, can you please read what  
5 Menendez searches for one minute later?

6 A. "Neil's Auto Body Shop Ridgefield."

7 Q. Two lines down, on line 251, what does Nadine text Menendez  
8 at 2:47 p.m.?

9 A. "I am parked on the street back of the building."

10 Q. On line 252, can you please read what Menendez texts Nadine  
11 at 2:56 p.m.?

12 A. "I will be there by 3:14."

13 Q. Directing your attention to the next line, who does Nadine  
14 text at 5:43 p.m.?

15 A. Wael Hana.

16 Q. Please read what the chart reflects that Nadine texts Hana  
17 at 5:43 p.m.

18 A. "Are you and José free for dinner tonight?"

19 Q. How long is it that Nadine texts Hana are you and José free  
20 for dinner tonight after Menendez had texted her, at 2:56 p.m.,  
21 I will be there by 3:14?

22 A. Approximately three hours.

23 Q. Directing your attention to the next line, who does Hana  
24 text after Nadine texts him are you and José free for dinner  
25 tonight?

O65Wmen2

Graves - Direct

1 A. José Uribe.

2 Q. Can you please read what Hana texts Uribe at 5:44 p.m.?

3 A. "Bob he want have dinner with us tonight."

4 Q. Skipping down a few lines, to line 262, at 6:33 p.m., on  
5 January 25, 2019, please read what Hana texts Nadine.

6 A. "If you like I can meet you guys and we can have another  
7 drink tomorrow with José or José can meet for drink tonight  
8 after dinner."

9 Q. Skipping a few lines down, to 7:14 p.m., on line 265, what  
10 does Nadine text Hana on that line?

11 A. "I'm waiting to hear from him."

12 MR. MONTELEONI: Mr. Hamill, please take us to page 17  
13 of Government Exhibit 1303.

14 Q. Directing your attention to line 274, on January 26, 2019,  
15 at 5:19 p.m., can you please read what Nadine texts Hana?

16 A. "I am in bed been sick all day. Bob has an event tonight.  
17 Are you and José free tomorrow maybe around 7 o'clock? Let me  
18 know."

19 Q. On line 278, a few lines down, can you please read Hana's  
20 response at 5:22 p.m.?

21 A. "Any day next week is good for José. He don't go out in  
22 Sunday."

23 Q. Two lines after that, on line 280, please read what Nadine  
24 writes at 6:21 p.m.

25 A. "OK. I'll call you in 30 minutes. I am so sick. Maybe we

O65Wmen2

Graves - Direct

1 can just meet with you. Bob leaves Monday for Washington."

2 Q. Line 285, a few more lines down, please read what Nadine  
3 texts to Hana at 6:55 p.m.?

4 A. "We just got back. We're going to go to dinner but I'm not  
5 sure where. Bob is leaving tomorrow, so I wanted him to meet  
6 with you and tonight would be the only chance."

7 Q. A few lines down, on line 288, please read what Hana texts  
8 Nadine at 6:57 p.m.

9 A. "Let me know because I'm in Bayonne if we are meeting I  
10 will start moving."

11 Q. Directing your attention to line 289, the next line, please  
12 read what's listed as Nadine's reply.

13 A. "He went downstairs to speak to somebody. He should be up  
14 in 10 minutes. I will let you know. Is John around to cook  
15 tonight, or should we pick somewhere else?"

16 Q. Two lines down, on line 291, can you please read what  
17 Nadine writes at 7 p.m.?

18 A. "I will text you as soon as he comes up and I find out  
19 what's going on."

20 Q. Two lines after that, on line 293, can you please read what  
21 Hana writes at 8:05 p.m.?

22 A. "Be there in 5."

23 MR. MONTELEONI: Mr. Hamill, can you please take us to  
24 page 18 of Government Exhibit 1303.

25 Q. Directing your attention to line 295, on January 27, 2019,

O65Wmen2

Graves - Direct

1 at 11:46 p.m., first, how long is that after Hana texted Nadine  
2 be there in 5, at 8:05 p.m., that you just read?

3 A. A few hours later.

4 Q. What is the file type that Hana texts Nadine at 11:46 p.m.?

5 A. A screenshot of Google search results for Michael  
6 Critchley.

7 MR. MONTELEONI: Mr. Hamill, can you please put up  
8 Government Exhibit B105-EE.

9 And now can you put up to the left Government Exhibit  
10 C115-A, the screenshot that Parra sent to Hana previously that  
11 you testified about.

12 Q. How do these screenshots compare?

13 A. They appear to be the same.

14 MR. MONTELEONI: Let's return to the timeline.

15 Mr. Hamill, please put back up Government Exhibit  
16 1303, page 18.

17 Q. Directing your attention, Special Agent Graves, to line  
18 296, on January 27, 2019, at 11:46 p.m., what does this line  
19 reflect that Hana texted to Nadine then?

20 A. Screenshot of substitution of Michael Critchley as new  
21 attorney for Elvis Parra.

22 MR. MONTELEONI: Let's look briefly.

23 Mr. Hamill, can you please put up Government Exhibit  
24 B105-FF.

25 Q. What do the top and bottom banners on this image indicate?

O65Wmen2

Graves - Direct

1 A. That it was a screen capture on a phone.

2 Q. Apart from those top and bottom banners, how does that  
3 compare to the substitution of attorney for Elvis Parra that we  
4 looked at previously?

5 A. The document itself?

6 Q. Yes.

7 A. It's the same.

8 MR. MONTELEONI: All right. Let's go back to the  
9 timeline.

10 Mr. Hamill, can you please put back up Government  
11 Exhibit 1303, page 18.

12 Q. Are those the lines sending the images that we just looked  
13 at?

14 A. Yes.

15 Q. And what is the date?

16 A. On line 296?

17 Q. On both of those lines, just the date.

18 A. Both dates are January 27, 2019.

19 MR. MONTELEONI: Mr. Hamill, can you please take us to  
20 page 19.

21 Q. Special Agent Graves, directing your attention to line 302,  
22 on January 28, 2019, at 8:18 a.m., what does Hana send Ahmed  
23 Helmy through WhatsApp?

24 A. A photo of Robert Menendez, Wael Hana and Nadine Arslanian  
25 at restaurant.

O65Wmen2

Graves - Direct

1 MR. MONTELEONI: Let's look at the photo.

2 Mr. Hamill, can you please put up Government Exhibit  
3 C207-G.

4 Q. Based on the background, Special Agent Graves, what type of  
5 location do they appear to be in?

6 A. Appears to be a restaurant, the table and the lighting.

7 MR. MONTELEONI: And Mr. Hamill, can you please take  
8 us back to page 19 of Government Exhibit 1303.

9 Q. Directing your attention to line 304, at 11:50 a.m., who  
10 does Hana send a message to?

11 A. José Uribe.

12 MR. MONTELEONI: Mr. Hamill, can you please put up  
13 Government Exhibit E102-D.

14 Q. Special Agent Graves, how do the clothes of Hana and  
15 Menendez and the location appear to compare to the image that  
16 we just saw that Hana texted to Ahmed Helmy that morning?

17 A. The clothes are the same and the background -- it looks  
18 like it's a different angle, but the lighting looks similar to  
19 the location in the previous photo.

20 MR. MONTELEONI: Mr. Hamill, please take us back to  
21 Government Exhibit 1303 and put up page 20.

22 Q. Special Agent Graves, directing your attention to line 323,  
23 on January 28, 2019, at 2:34 p.m., how does that date and time  
24 compare to the time that Hana sent those restaurant pictures  
25 that we were just looking at in the morning?

O65Wmen2

Graves - Direct

1 A. Could you scroll up so I can just confirm the date?

2 It's the same day.

3 Q. Now, what does Hana text to Nadine at 2:34 p.m. on this  
4 line 323?

5 A. A website.

6 Q. And can you please read the first line of what's texted?

7 A. "Attorney/Michael Critchley."

8 Q. Directing your attention to the next line, line 324, what  
9 does Hana text Nadine then?

10 A. Picture of Critchley substitution of attorney.

11 Q. The same screenshot we looked at previously?

12 A. It appears to be.

13 Q. Directing your attention to the next line, line 325, what  
14 does he text at 2:47 p.m.?

15 A. What does the text read?

16 Q. Yes.

17 A. "Indictment No. 16-12-00217-s State of New Jersey v. Elvis  
18 Parra."

19 MR. MONTELEONI: Mr. Hamill, can you please put up to  
20 one side page 4 of Government Exhibit 4G-1.

21 Q. How does that number that Hana texts Nadine that you just  
22 read compare to the docket number that we saw in the indictment  
23 that we looked at, at the beginning of this chart?

24 A. It's the same.

25 MR. MONTELEONI: You can take down Government Exhibit



O65Wmen2

Graves - Direct

1 4G-1, Mr. Hamill.

2 Thank you.

3 Q. Special Agent Graves, directing your attention to line 326,  
4 can you please read what Hana texts Nadine at 2:51 p.m. on  
5 January 28?

6 A. "This matter involves only four counts and is a relatively  
7 small indictment. The largest of the counts is a second degree  
8 count. Defendant is U.S. citizen and he has no criminal  
9 history."

10 Q. Directing your attention to line 327, can you please read  
11 Nadine's response at 3:25 p.m.?

12 A. "Thank you."

13 MR. MONTELEONI: Mr. Hamill, can you please take us to  
14 page 21 of Government Exhibit 1303.

15 Q. Special Agent Graves, directing your attention to line 335,  
16 at 5:50 p.m. on January 28, 2019, can you please read what  
17 Nadine texts to Hana?

18 A. "I am going to do my nails and call Bob from there. Are  
19 you around at 7:30 to get me from the nail salon in Cresskill  
20 and go to the mall? I have to do -- I have to errands for a  
21 Bob but I could t rent a car it's not going through on my  
22 credit card."

23 Q. And where you read about errands for Bob, is it "I have to  
24 do to errands for Bob"?

25 A. Yes, it is.

O65Wmen2

Graves - Direct

1 Q. Directing your attention a few lines down to line 340, who  
2 texts Nadine at 7:46 p.m.?

3 A. Robert Menendez.

4 Q. Could you please read what Menendez writes to Nadine?

5 A. "What's happening in Cresskill?"

6 Q. Directing your attention to the next line, line 341, please  
7 read the quoted text that Nadine writes to Menendez?

8 A. "I love that you care enough to check up on me."

9 MR. MONTELEONI: Mr. Hamill, could you please put up  
10 Government Exhibit A101-FF.

11 Q. Special Agent Graves, what type of establishment did Nadine  
12 tell Hana that she was going to in Cresskill?

13 A. A nail salon.

14 MR. MONTELEONI: Let's return to the timeline.

15 Mr. Hamill, can you please take us back to Government  
16 Exhibit 1303, page 21.

17 Q. Special Agent Graves, directing your attention to line 342,  
18 can you please read what Nadine writes to Menendez on this line  
19 on January 28, 2019, at 7:49 p.m.?

20 A. "I'm waiting for Uber to go back home."

21 Q. Directing your attention to line 345, on January 28, 2019,  
22 at 8:18 p.m., what does Elvis Parra send to Hana through  
23 WhatsApp?

24 A. Texts screenshot of therobingroom.com entry for Judge  
25 Arthur Batista.

O65Wmen2

Graves - Direct

1 Q. How does that name compare to the name of the judge that  
2 signed the trial order in Elvis Parra's case that we saw  
3 previously?

4 A. It's the same.

5 MR. MONTELEONI: Mr. Hamill, could you please take us  
6 to page 22 of Government Exhibit 1303.

7 Q. Directing your attention to line 349, the third 8:20 p.m.  
8 line on January 28, 2019, what does Hana then send to Nadine?

9 A. Screenshot of therobingroom.com entry for Judge Batista.

10 Q. How does that compare to what Elvis Parra sent previously  
11 on WhatsApp?

12 A. Appears to be the same.

13 Q. Now, directing your attention to line 354, what is the date  
14 and time of that line?

15 A. January 29, 2019, 11 a.m.

16 Q. How does that date and time compare to the date that Hana  
17 was sending Nadine these images we just saw?

18 A. The following morning.

19 Q. Who makes the call that's listed in line 354?

20 A. Robert Menendez.

21 Q. What phone does Menendez call?

22 A. Calls Nadine Arslanian, flip phone.

23 MR. MONTELEONI: Mr. Hamill, can you please put up  
24 Government Exhibit 1435, page 11.

25 I'll now read paragraph 9:

O65Wmen2

Graves - Direct

1 "The physical exhibit marked for identification as  
2 Government Exhibit B300 is a flip cell phone assigned the call  
3 number 551-287-1212, which the FBI lawfully seized from the  
4 residence of Robert Menendez and Nadine Menendez on June 16,  
5 2022. Government Exhibit B300 is referred to in this  
6 stipulation as the Nadine Menendez flip phone."

7 Q. Now, is the phone number on this paragraph the number of  
8 the phone that Menendez called in the line that we were just  
9 looking at?

10 A. Yes, from my review of the records, it does.

11 Q. And is this flip phone subscribed in Nadine's name?

12 A. I would have to look at the records to recall.

13 MR. MONTELEONI: Mr. Hamill, could you please put up  
14 what's in evidence as Government Exhibit 6A-314. Put up page 5  
15 and then expand the bottom half of page 5.

16 Q. Directing your attention to the boxes under the words "user  
17 information," can you please read the number after MSISDN?

18 A. (551) 287-1212.

19 Q. How does that compare to the number of the flip phone?

20 A. It's the same.

21 Q. And please read the name in the set of user information  
22 boxes.

23 A. "Sorce Companies."

24 Q. What was the last name of the user that Nadine was texting  
25 with on December 12, 2018, in the text that we saw where she

O65Wmen2

Graves - Direct

1 said she was sitting in an ambulance?

2 A. Sorce.

3 Q. Two lines down, please read the service start date.

4 A. 12/14, 2018.

5 MR. MONTELEONI: I want to show you a document from a  
6 few weeks before that.

7 Mr. Hamill, can you please put up Government Exhibit  
8 B105-40 and expand the bottom text on the first page.

9 Q. Special Agent Graves, who is this text from and to?

10 A. It's from Nadine Arslanian, and it's to Wael Hana.

11 Q. Can you please read what Nadine texts to Hana?

12 A. "I am getting all these fake text from spoofing."

13 MR. MONTELEONI: Mr. Hamill, can you please scroll us  
14 down to the next page.

15 Q. And then Special Agent Graves, directing your attention to  
16 Nadine's next text to Hana, can you please read Nadine's next  
17 text to Hana?

18 A. "Tomorrow I have to go get a new phone and a new phone  
19 number."

20 Q. When was this written?

21 A. 12/1, 2018.

22 Q. About how long was that before the 12/14, 2018, start date  
23 of the service of the flip phone?

24 A. Approximately two weeks.

25 MR. MONTELEONI: Mr. Hamill, can you please put up

O65Wmen2

Graves - Direct

1 Government Exhibit A102 and publish page 1.

2 Q. Special Agent Graves, who is the recipient of this first  
3 text on the page?

4 A. Bob Menendez.

5 Q. What phone is the sender of this first text using?

6 A. 1-551-287-1212.

7 Q. Is that the number of the flip phone?

8 A. Yes.

9 Q. OK. Can you please read this first text?

10 A. "My 007 cell number."

11 Q. So, you testified that Menendez called this number on  
12 January 29, 2019. Have you looked at the phone records of the  
13 flip phone from that service start date in December to January  
14 29, 2019?

15 A. Yes, I've reviewed it.

16 Q. Roughly how many calls to and from a Menendez phone did you  
17 find during that time period, more or less?

18 A. Approximately 30.

19 Q. Did you look at the phone records for Nadine's other cell  
20 phone during that same time period?

21 A. Yes, I did.

22 Q. Roughly how many calls to and from a Menendez phone did you  
23 find during that same time period on that phone, more or less?

24 A. Approximately 280.

25 MR. MONTELEONI: Mr. Hamill, please take us to

O65Wmen2

Graves - Direct

1 Government Exhibit 1303, page 22.

2 Q. Directing your attention to line 354, listing this 11 a.m.  
3 call from Menendez to Nadine's flip phone, about how long does  
4 that call last?

5 A. Five minutes, 58 seconds.

6 Q. If the call starts at about 11 and lasts for five minutes  
7 and 58 seconds, approximately when does it end?

8 A. Approximately 11:06 a.m.

9 Q. Directing your attention to line 355, who does it reflect  
10 Nadine calls at 11:06 a.m.?

11 A. Wael Hana.

12 Q. Does she use the flip phone or the cell phone with the 1745  
13 number to do that?

14 A. The regular cell phone.

15 Q. So about how long after getting off the phone with Menendez  
16 on the flip phone does the chart reflect that Nadine uses her  
17 other cell phone to call Hana?

18 A. Moments later, within the same minute.

19 Q. How long is the call from Nadine's regular cell phone to  
20 Hana?

21 A. 34 seconds.

22 Q. Directing your attention to line 356, what does it reflect  
23 that Nadine does at 11:12 a.m.?

24 A. She calls Wael Hana.

25 Q. How long is that call?

O65Wmen2

Graves - Direct

1 A. Zero seconds.

2 Q. And about how long was that call after the previous call to  
3 Hana reflected on the chart?

4 A. A few minutes later.

5 Q. Directing your attention to the next line, line 357, who  
6 does Hana send a message to at 11:17 a.m.?

7 A. Elvis Parra.

8 Q. What does Hana write to Elvis Parra at 11:17 a.m.?

9 A. "Your home address."

10 Q. Directing your attention to the next line, line 358, can  
11 you please read what Nadine texts Hana?

12 A. "Hurry please."

13 Q. How long is it from when Nadine calls Hannah for 34 seconds  
14 at 11:06 a.m. and when Nadine texts Hana hurry please?

15 A. Approximately 15 minutes.

16 Q. Directing your attention to the next line, line 359, what  
17 does it reflect that Nadine does at 11:26 a.m.?

18 A. She calls Wael Hana.

19 Q. For how long?

20 A. 30 seconds.

21 Q. About how long is that after she texted him hurry please,  
22 according to the chart?

23 A. A few minutes later.

24 Q. Directing your attention to the next line, line 360, what  
25 does the chart reflect that Elvis Parra sends Hana by WhatsApp



O65Wmen2

Graves - Direct

1 at 11:30 a.m.?

2 A. Sends a file now deleted.

3 Q. Were you able to read that file?

4 A. I was not.

5 Q. Did the chat indicate that a file was sent?

6 A. A file was sent, but it was unable to be viewed.

7 Q. About how long is it after Hana sent him a message saying  
8 your home address that Parra sends Hana a WhatsApp file,  
9 according to the chart?

10 A. Approximately 15 minutes.

11 Q. Directing your attention to the next line, line 361, about  
12 how long is it between when the chart reflects that Parra sends  
13 Hana a file and when Hana then texts Nadine?

14 A. The same minute, within the same minute.

15 Q. And what does Hana text Nadine?

16 A. Elvis Parra, 19 Bethany Circle, Closter, New Jersey.

17 (Continued on next page)

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O655men3

Graves - Direct

1 BY MR. MONTELEONI: (Continuing)

2 Q. Directing your attention to the next line, line 362, can  
3 you please read what the chart reflects Nadine's response was?

4 A. "What about the rest?"

5 Q. How long is that response, "what about the rest," after  
6 Hana's message saying Elvis Parra and then an address?

7 A. Immediately. Within the same minute.

8 Q. Directing your attention to the next line, line 363, can  
9 you please read what Hana sends to Nadine two minutes later?

10 A. "E & K Trucking Inc., 400 Delancey Street, Newark, New  
11 Jersey, 07105. Elvis Parra, 18 Bethany Circle, Closter, New  
12 Jersey, 07624."

13 Q. Directing your attention to the next line, line 364, how  
14 long after receiving it does it take Nadine to respond,  
15 according to the chart?

16 A. She responds immediately, within the same minute.

17 Q. Can you please read what is listed as Nadine's response?

18 A. "Thank you. Now I need what the charges are."

19 Q. Directing your attention to the next line, line 365, what  
20 does the chart reflect that Hana does at 11:33 a.m.?

21 A. He calls Nadine Arslanian.

22 Q. For how long?

23 A. 24 seconds.

24 MR. MONTELEONI: Mr. Hamill, if you would please take  
25 us to page 23 of Government Exhibit 1303?

O655men3

Graves - Direct

1 Q. Directing your attention to the next line, line 366, can  
2 you please read what Hana texts Nadine at 11:34 a.m.?

3 A. "This matter involves only four counts and is a relatively  
4 small indictment. The largest of the counts is a second degree  
5 count. Defendant is U.S. citizen and he has no criminal  
6 history."

7 Q. Directing your attention to the next line, line 346, what  
8 does Nadine do at 11:34 a.m., according to the chart?

9 A. She calls Wael Hana.

10 Q. How long does that call last?

11 A. 33 seconds.

12 Q. Directing your attention to line 36, can you please read  
13 what Hana texts Nadine at 11:35 a.m.?

14 A. "Indictment no. 16-12-00217-S State of New Jersey v. Elvis  
15 Parra."

16 Q. Is that the indictment you testified is the same number as  
17 is actually listed on the indictment?

18 A. Yes. I believe so. It might be helpful to see them side  
19 by side to confirm.

20 MR. MONTELEONI: Mr. Hamill, can you put up Government  
21 Exhibit 4G-1 page 4?

22 A. Yes, they're the same.

23 MR. MONTELEONI: You can take down 4G-1, Mr. Hamill.  
24 Thank you.

25 Q. Special Agent Graves, directing your attention to the next

O655men3

Graves - Direct

1 line, line 369, what does Nadine do, at 11:35 a.m., as  
2 reflected on this line, after receiving the document?

3 A. She calls Wael Hana.

4 Q. How long does that call last?

5 A. 39 seconds.

6 Q. The call started at about 11:35 a.m. and lasted about 39  
7 seconds. About when did it end?

8 A. Approximately 11:36 a.m.

9 Q. What phone does Nadine use to call Wael Hana?

10 A. Her flip phone -- oh sorry. Her regular phone.

11 Q. Directing your attention to the next line, line 370, what  
12 does it reflect that Nadine does at 11:36 a.m.?

13 A. She calls Robert Menendez.

14 Q. What phone did she use to call Robert Menendez?

15 A. Her flip phone.

16 Q. How much time does the chart reflect passed between when  
17 Nadine got off the phone with Hana on her cell phone and called  
18 Menendez with her flip phone?

19 A. Moments. Within the same minute.

20 Q. How long do these two calls to Menendez last?

21 A. Zero seconds.

22 Q. Directing your attention to the next line, line 371, what  
23 does Nadine do three minutes later?

24 A. She texts Robert Menendez.

25 Q. What phone does she use to text Robert Menendez?

O655men3

Graves - Direct

1 A. Her flip phone.

2 Q. Can you please read what she texts Menendez at 11:39 a.m.?

3 A. "Call me please when you can. I hope my scarf is warm.  
4 xo."

5 MR. MONTELEONI: Mr. Hamill, can you please put up  
6 Government Exhibit 1435, page 11?

7 I will now read from paragraph 9C of Government  
8 Exhibit 1435: The documents marked for identification as  
9 Government's Exhibits B302 through B306 are true and correct  
10 copies of screen images of the Nadine Menendez flip phone.

11 Mr. Hamill would you please put up what is in evidence  
12 as Government Exhibit B302? Please put up what is in evidence  
13 as Government Exhibit B303? And, please put up what is in  
14 evidence as Government Exhibit B304? And, please put up what  
15 is in evidence as Government Exhibit B305? Can you please put  
16 up what is in evidence as Government Exhibit B306? Mr. Hamill  
17 can you please put back up Government Exhibit 1303 and take us  
18 to page 23?

19 Q. Directing your attention to line 371 when Nadine Arslanian  
20 uses the flip phone to send a text to Robert Menendez, please  
21 read the year that that text message was sent?

22 A. 2019.

23 Q. Now directing your attention to line 373, what is the time  
24 listed on that line?

25 A. 12:24 p.m.

O655men3

Graves - Direct

1 Q. How long is that after Nadine sends the text on the flip  
2 phone saying: "Call me please when you can"?

3 A. Approximately 45 minutes later.

4 Q. What does the chart reflect that Menendez does on this  
5 line?

6 A. Calls Nadine Arslanian's flip phone.

7 Q. How long does this call, from Menendez to Nadine  
8 Arslanian's flip phone, last?

9 A. One minute, 39 seconds.

10 Q. Now directing your attention to line 379, first, what is  
11 the date and time on that line?

12 A. January 29, 2019, 5:01 p.m.

13 Q. When is that in relation to when Menendez called Nadine's  
14 flip phone and the call we just looked at?

15 A. Later that afternoon.

16 Q. Who does this line indicate that Menendez calls at  
17 5:01 p.m. on January 29, 2019?

18 A. Gurbir Grewal.

19 MR. MONTELEONI: Mr. Hamill, can you please put up  
20 Government Exhibit 4G-6 and take us to the first page?

21 Q. Special Agent Graves, this letter has a date of April 16,  
22 2019. Have we gotten there yet?

23 A. No, we have not.

24 Q. Directing your attention under the seal where it says State  
25 of New Jersey, Office of the Attorney General and then head

O655men3

Graves - Direct

1 over to the right, to the right of the words "State of New  
2 Jersey," can you please read the top name to the right?

3 A. Gurbir S. Grewal.

4 Q. Can you please read the subtitle under the name Gurbir  
5 Grewal?

6 A. Attorney General.

7 Q. How does that name compare to the name reflected on the  
8 chart for who Menendez called at 5:01 p.m. on January 29, 2019?

9 A. It is the same, minus the middle initial.

10 MR. MONTELEONI: Mr. Hamill, can you please put up  
11 Government Exhibit 1432, page 3?

12 I will now read the first sentence of paragraph 8:  
13 The documents marked for identification as Government's  
14 Exhibits 10C-1 through 10C-4, are true and accurate copies of  
15 images from pages from the Senate website of Robert Menendez --  
16 and his URL -- as of at least May 3, 2024.

17 Mr. Hamill, can you please put up Government Exhibit  
18 10C-1 and expand the image on the page?

19 Q. Special Agent Graves, can you please read the logo in the  
20 top center?

21 A. Bob Menendez.

22 Q. Can you please read the URL in the search bar?

23 A. Www.menendez.senate.gov.

24 Q. Is there other than some subfolders after that?

25 A. Yes. /contact/FAQs.

O655men3

Graves - Direct

1 MR. MONTELEONI: You can drop that expansion,  
2 Mr. Hamill. Thank you.

3 Q. Directing your attention below the picture, can you please  
4 read the second line, the large blue words, starting "our  
5 office" the second time that that appears?

6 A. The first line under that?

7 Q. No, just first the second blue "our office" heading.

8 A. "Our office cannot."

9 Q. Under the "our office cannot" heading, can you please read  
10 the paragraph starting "intervene"?

11 A. "Intervene with judicial issues, provide legal advice or  
12 recommend an attorney. Our Senate office cannot legally get  
13 involved with pending litigation, including questions about  
14 criminal trials or imprisonment, child custody issues, and  
15 civil lawsuits. My office cannot overturn or in any way  
16 influence a court's decision."

17 Q. By the way, was this language that you read contained in  
18 older versions of the website accessible through the internet  
19 archive?

20 A. That I have reviewed in preparing?

21 Q. Yes.

22 A. Yes, it has.

23 Q. Let's look at one.

24 MR. MONTELEONI: Mr. Hamill, can you please put up  
25 Government Exhibit 10G-4?



O655men3

Graves - Direct

1 Q. Special Agent Graves, directing your attention to the top  
2 left, can you please read the web address there in the address  
3 bar?

4 A. [Www.menendez.senate.gov/services/help](http://www.menendez.senate.gov/services/help).

5 Q. Directing your attention to the right of that web address  
6 to the black vertical stripe between two blue arrows, would you  
7 please read the yellow letters in that black stripe?

8 A. "December 21, 2018."

9 Q. When is December 21, 2018, in relation to the January 29,  
10 2019 call that is reflected in the chart from Menendez to  
11 Gurbir Grewal?

12 A. It was before.

13 Q. Below the top bar, can you please read the large all caps  
14 words starting "our office"?

15 A. "Our office cannot."

16 Q. What typeface is the word "cannot" in?

17 A. Bold.

18 Q. I'm not going to ask you to read it all out loud, but about  
19 how similar is this third bullet point starting "intervene" to  
20 the bullet point you read from the other version of the  
21 Menendez website?

22 A. Very similar, if not the same.

23 MR. MONTELEONI: Mr. Hamill, can you please put back  
24 up Government Exhibit 1303 and take us to page 23?

25 Q. Directing your attention to line 380, can you please read

O655men3

Graves - Direct

1 what Menendez texts to Nadine at 12:49 p.m. on January 31,  
2 2019?

3 A. "How is the work going?"

4 MR. MONTELEONI: Mr. Hamill, can you please scroll  
5 down to the bottom of page 23 and the top of page 24?

6 Q. Can you please describe what Nadine sends to Menendez in  
7 these two lines on line 383?

8 A. Photos of -- it looks to be a room under construction.

9 MR. MONTELEONI: Mr. Hamill, if you can take us all  
10 the way to page 24 of Government Exhibit 1303?

11 Q. Special Agent Graves, directing your attention to line 386.  
12 On February 1, 2019, at 12:17 p.m., first, how long was that  
13 after the January 29, 2019 call from Menendez to Gurbir Grewal?

14 A. A few days later.

15 Q. Who does Hana text on February 1, 2019?

16 A. Fred Daibes.

17 Q. Can you please read just the two lines what Hana texts  
18 Daibes?

19 A. "Hi Fred. Can you please help Nadine with car. Are  
20 expense."

21 MR. MONTELEONI: If you can scroll down Mr. Hamill,  
22 please?

23 Q. Directing your attention to line 387, can you please read  
24 what Nadine texts Hana at 3:07 p.m. on February 3, 2019,  
25 according to the chart?

O655men3

Graves - Direct

1 A. "All is great. I'm so excited to get a car next week."

2 Q. How long did Nadine text Hana, "All is great. I'm so  
3 excited to get a car next week" after Hana texts Daibes, "Hi  
4 Fred, can you please help Nadine with car"?

5 A. A couple of days later.

6 MR. MONTELEONI: Mr. Hamill, can you please take us to  
7 page 25 of Government Exhibit 1303?

8 Q. Directing your attention to line 390 on February 7, 2019,  
9 who does Hana text at 4:24 p.m. on that date, according to the  
10 chart?

11 A. Fred Daibes.

12 Q. Let's take a look at this message.

13 MR. MONTELEONI: Mr. Hamill, can you please put up  
14 what is in evidence as Government Exhibit C209-3 and expand the  
15 top message?

16 Q. Special Agent Graves, can you please read this top message  
17 from Hana to Daibes?

18 A. The content of the message?

19 Q. Yes.

20 A. "Hey, Fred. Can you please help Naden with car? Thanks."

21 Q. Directing your attention to the date of the message, about  
22 how long was this sent after Hana texted Daibes about helping  
23 Naden with the car the first time on February 1st, 2019,  
24 according to the first chart?

25 A. Approximately a week later.

O655men3

Graves - Direct

1 MR. MONTELEONI: Mr. Hamill, can you please expand the  
2 full page?

3 Q. Special Agent Graves, when is the next message on this page  
4 sent?

5 A. 2/9/2019.

6 Q. Please read this next message from Hana to Daibes.

7 A. "Hi Fred. Or you free tomorrow to meet with Bob and I for  
8 coffee."

9 Q. Directing your attention to the last message on this page,  
10 who sent that last message?

11 A. F. Daibes.

12 Q. When did he send it?

13 A. 2/9/2019.

14 MR. MONTELEONI: So, Mr. Hamill, can you please take  
15 us to page 25 of Government Exhibit 1303?

16 Q. Special Agent Graves, directing your attention down to line  
17 408, first, what is the month and day on line 408?

18 A. March 1, 2019.

19 Q. What is the time?

20 A. 11:59 a.m.

21 Q. So who texts José Uribe at this time, according to this  
22 chart?

23 A. Bienvenido Hernandez.

24 Q. Can you please read the translation of what Hernandez texts  
25 to Uribe?

O655men3

Graves - Direct

1 A. "Greetings, Negro. We convinced the people to have the  
2 meeting in your office on Monday. That way, Ana is more  
3 relaxed."

4 Q. How does that name compare to the name of the person that  
5 Detective Lopez was attempting to interview according to  
6 correspondence with Andy Aslanian?

7 A. The name at the end of the text or the name of the reading.

8 Q. At the end of the text?

9 A. Ana is the same.

10 MR. MONTELEONI: Mr. Hamill, would you please take us  
11 to page 26 of Government Exhibit 1303?

12 Q. Skipping down a few lines, directing your attention to line  
13 413, the third 12:15 p.m. entry, please read what Uribe texts  
14 to Hernandez -- wait. I'm sorry let's go back for a second.  
15 Can we go back to page 25? So now on line 409, can you please  
16 read the translation of Uribe's response at 12:13 p.m. after  
17 Hernandez says: "We convinced the people to have the meeting  
18 in your office on Monday, that's way Ana is more relaxed."

19 A. "No, that's not right. Let me see what I say to him  
20 tomorrow. I prefer the lawyer's office. Besides, Ana doesn't  
21 know anything about anything. I'd rather go myself."

22 MR. MONTELEONI: Now can we go to page 26, Mr. Hamill.  
23 Thank you.

24 Q. Skipping down to line 413, can you please read what Uribe  
25 texts Hernandez two minutes later?

O655men3

Graves - Direct

1 A. Line 413?

2 Q. 413, yes.

3 A. "Tell him that I'm going alone. That girl doesn't know  
4 anything."

5 Q. Directing your attention to line 415, on March 1, 2019, at  
6 6:50 p.m., can you please read the translation and then the  
7 first two lines of the English text that Bienvenido Hernandez  
8 sends to Uribe as reflected on this chart?

9 A. "Negro, here's the address and it is at 1:00 p.m. Michelle  
10 Cunningham, Critchley, Kinum & DeNoia, LLC."

11 MR. MONTELEONI: Mr. Hamill, can you please put up  
12 Government Exhibit 4G-2 on one side, please?

13 Q. How does the name "Critchley, Kinum & DeNoia" compare to  
14 the name of the law firm for Michael Critchley as reflected on  
15 the document indicating that Critchley is appearing as attorney  
16 for Elvis Parra in his criminal case?

17 A. It is the same.

18 MR. MONTELEONI: You can take down Government Exhibit  
19 4G-2, Mr. Hamill. Thank you.

20 Q. Directing your attention to line 416, on March 1, 2019, can  
21 you please read the translation of what Hernandez texts Uribe  
22 then?

23 A. "On Monday."

24 Q. Directing your attention to the next line, line 417, can  
25 you please read Uribe's response?

O655men3

Graves - Direct

1 A. "I'm going alone."

2 Q. A few lines down on line 424, directing your attention a  
3 few days ahead to March 4, 2019, at 1:25 p.m., can you please  
4 read what Uribe texts Hernandez?

5 A. "I'm already in his office."

6 MR. MONTELEONI: Mr. Hamill, can you please put up to  
7 one side Government Exhibit 10J-2 and expand March 2019?

8 Q. We previously read Hernandez texting Uribe on Monday but  
9 what day of the week was March 4, 2019, the day that Uribe's  
10 text translated: "I'm already in his office"?

11 A. A Monday.

12 MR. MONTELEONI: You can take down Government Exhibit  
13 10G-2, Mr. Hamill. Thank you. Mr. Hamill, can you please put  
14 up page 27 of Government Exhibit 1303?

15 Q. Directing your attention to line 430 on March 5, 2019 at  
16 7:35 a.m., can you please read what Uribe texts to Hana?

17 A. "Good. I am worry man. Can't even sleep."

18 Q. Directing your attention to line 431, the next line, would  
19 you please read Hana's response?

20 A. "All good."

21 Q. Directing your attention to the next line, line 432, what  
22 does Uribe text Hernandez the day after texting him "I'm  
23 already in his office"?

24 A. "Greetings. They've turned their backs on me."

25 Q. Directing your attention to line 436, a few days later on

O655men3

Graves - Direct

1 March 11, 2019, at 1:46 p.m., can you please read the  
2 translation that Uribe sends to Hernandez on WhatsApp?

3 A. "Greetings. Go with faith. Ask direct questions. Tell  
4 them that we're ready."

5 Q. Directing your attention a bit later that day, line 442 at  
6 6:08 p.m., please read what Robert Menendez texts Nadine  
7 Arslanian?

8 A. "*Mon amour*, thanks for letting me know you landed. We had  
9 a great time but it will even be better next week. Let me know  
10 you hooked up with Mike and got home safely. [Emoji]"

11 Q. Two lines down on line 444, can you please read what Nadine  
12 texts Menendez at 7:26 p.m.?

13 A. "As soon as we landed I turned on find my friend. Although  
14 you have zero percent to worry about, I know it will put your  
15 mind at ease and you can concentrate on your meetings."

16 Q. Let's go to the next line, line 445. Who texts Nadine at  
17 11:20 p.m.?

18 A. Andy Aslanian.

19 Q. What does Andy Aslanian text Nadine at 11:20 p.m. on  
20 March 11,s 2019?

21 A. "Are you still up? If so, I'll call you, or I'll call you  
22 in the morning, if that's better."

23 Q. How long is this text from Andy Aslanian after José Uribe  
24 texted Bienvenido Hernandez: "Go with faith, ask direct  
25 questions, tell them that we're ready," at 1:46 p.m.?



O655men3

Graves - Direct

1 A. Later that evening.

2 Q. Directing your attention to the next line, line 446, what  
3 is Nadine's response at 11:20 p.m.?

4 A. "I'm up."

5 Q. Two lines down, on line 448, who does Andy Aslanian call at  
6 11:21 p.m.?

7 A. Nadine Arslanian.

8 Q. How long was that call?

9 A. 25 minutes, 35 seconds.

10 Q. Directing your attention to line 449 on the next day,  
11 March 12, 2019 at 2:41 p.m., who does Nadine call?

12 A. Andy Aslanian.

13 Q. For how long?

14 A. Three minutes, 13 seconds.

15 Q. Directing your attention to the text line, line 450, who  
16 calls Nadine at 3:18 p.m.?

17 A. Robert Menendez.

18 Q. How long does that call last?

19 A. One minute, 12 seconds.

20 Q. If Menendez' call to Nadine starts at about 3:18 p.m. and  
21 last for one minute and 12 seconds, about when does it end?

22 A. Approximately 3:19 p.m.

23 Q. Directing your attention to line 451, who does Nadine call  
24 at 3:19 p.m.?

25 A. Wael Hana.

O655men3

Graves - Direct

1 Q. About how long is it, according to the chart, between when  
2 Nadine gets off the phone with Menendez and when she calls  
3 Hana?

4 A. Moments. Within the same minute.

5 Q. How long does Nadine's call to Hana last?

6 A. 16 seconds.

7 Q. Directing your attention to line 4:52, the next line, who  
8 does Robert Menendez call at 3:19 p.m.?

9 A. Michael Critchley.

10 Q. How long is it between when Menendez gets off the phone  
11 with Nadine and when he calls Michael Critchley?

12 A. Moments, if not within the same minute.

13 Q. Who is Elvis Parra's defense lawyer?

14 A. Michael Critchley.

15 Q. Directing your attention to line 453, can you please read  
16 what Hana texts Nadine at 3:21 p.m. on March 12, 2019?

17 A. "Elvis Parra."

18 Q. About how long was that after Nadine called Hana after  
19 getting off the phone with Menendez two lines up?

20 A. A few minutes, if not a minute after she got off the phone  
21 with him -- or -- yeah, after the 16-second phone call.

22 Q. Directing your attention to line 454, who does Robert  
23 Menendez call at 3:55 p.m.?

24 A. Nadine Arslanian.

25 Q. About how long is Menendez' call to Nadine after Menendez'

O655men3

Graves - Direct

1 call to Michael Critchley?

2 A. Approximately 30 minutes.

3 Q. How long does Menendez' call to Nadine last?

4 A. One minute, 39 seconds.

5 MR. MONTELEONI: Mr. Hamill, can you please take us to  
6 page 28 of Government Exhibit 1303?

7 Q. Directing your attention to line 455, who does Nadine call  
8 at 4:05 p.m.?

9 A. Andy Aslanian.

10 Q. For how long?

11 A. One minute, 57 seconds.

12 Q. And directing your attention to line 5456, what is the time  
13 on that line?

14 A. 10:02 p.m.

15 Q. About how long is it after all of these calls we have just  
16 been going over?

17 A. A few hours.

18 Q. At 10:02 p.m., who does Nadine Arslanian call?

19 A. José Uribe.

20 Q. How long does that call to Uribe last?

21 A. 21 minutes, 57 seconds.

22 Q. By the way, have you looked through the records for  
23 Nadine's phones prior to this March 12, 2019 date?

24 A. Yes, I have.

25 Q. About how far did the flip phone records go back?

O655men3

Graves - Direct

1 A. How far they went back?

2 Q. Yes.

3 A. They were, I believe from the time they were opened, like  
4 the December date, approximately, until -- I would have to look  
5 at it to recall. I believe it was the end of March 2019, but I  
6 would need to look at the records to recall the date.

7 Q. I was asking if you looked at it from March 12, 2019, this  
8 day, back.

9 A. Yes, I did.

10 Q. And then roughly, not exactly, about how long did the cell  
11 phone records for Nadine's phone go back?

12 A. I can't recall but it was much longer.

13 Q. Was it years?

14 A. I didn't look at the beginning, I looked at sort of  
15 portions of it but it was much before this date.

16 Q. So about how many calls do you find between Nadine and José  
17 Uribe in those phone records prior to this 21-minute call from  
18 Nadine's cell phone to Uribe at 10:02 p.m. on March 12, 2019?

19 A. I didn't find any.

20 Q. Directing your attention to José Uribe, about how long was  
21 this call after Menendez' 3:18 p.m. call to Nadine on line 450?

22 A. Could we scroll up just so I can have a reference point?

23 Q. Sure.

24 A. A few hours later.

25 MR. MONTELEONI: Now, you can take this down,

O655men3

Graves - Direct

1 Mr. Hamill. Thank you.

2 Q. So if Nadine's call to Uribe started at about 10:02 p.m.  
3 and lasted about 21 minutes and 57 seconds, about when did it  
4 end?

5 A. Approximately 10:23, 10:24 p.m.

6 Q. Directing your attention to line 456, who does Nadine  
7 receive a FaceTime call from at 10:24 p.m.?

8 A. Robert Menendez.

9 Q. What is the source supporting this entry from the --  
10 withdrawn.

11 How long does that FaceTime call last?

12 A. 28 minutes, 19 seconds.

13 Q. Directing your attention to line 459, the first entry at  
14 10:27 p.m., what does José Uribe do on this line, according to  
15 the chart?

16 A. Creates Nadine contact, listing the number of the first  
17 Nadine Menendez cell phone.

18 Q. Directing your attention to line 460, the second 10:27 p.m.  
19 line, what does Uribe do after creating the contact entry  
20 listing Nadine's cell phone number?

21 A. He calls Nadine.

22 Q. How long is that call?

23 A. Zero seconds.

24 Q. Now, if Menendez initiated a FaceTime call with Nadine at  
25 10:24 p.m. and it lasted for over 28 minutes, about when would

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1 it end?

2 A. Approximately 11:00 p.m.

3 Q. Would it still have been going when Uribe called at  
4 10:27 p.m.?

5 A. Yes.

6 Q. Directing your attention to line 464 at 10:52 p.m., who  
7 does Nadine call?

8 A. José Uribe.

9 Q. How long is that call?

10 A. This is line 462?

11 Q. 464 -- no. Sorry. You are right. I think I said that  
12 wrong. Line 462.

13 A. Zero seconds.

14 Q. About how long passed between Nadine ending the FaceTime  
15 call with Menendez and attempting to call Uribe?

16 A. Within minutes or moments.

17 Q. Directing your attention now to line 463 at 10:53 p.m. on  
18 March 12, can you please read what Nadine texts to Uribe?

19 A. "I just did. I'm sorry. I could not pick up. I was on  
20 the phone with Bob."

21 Q. Directing your attention to a few lines down to line 465,  
22 at 10:59 p.m. on March 12, 2019, would you please read what  
23 Uribe texts Nadine?

24 A. "I just got home. Going to eat something with my daughter.  
25 I am real. I will stand by my word."

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1 Q. Directing your attention to line 467, can you please read  
2 the date and time of that line?

3 A. March 13, 2019, 11:16 a.m.

4 Q. How does that compare to those calls and texts between  
5 Nadine and Uribe that we have just been going over?

6 A. The next morning.

7 Q. And now at 11:16 a.m. on March 13, 2019 a.m., can you  
8 please read the translation of what Uribe texts Hernandez?

9 A. The WhatsApp message?

10 Q. Yes, the text through WhatsApp; he sends a message through  
11 WhatsApp.

12 A. "Good morning. I received a call with good news. Let's  
13 keep the faith."

14 Q. About how long was it that Uribe texted Hernandez "I  
15 received a call with good news, let's keep the faith" after he  
16 received the 21-minute call from Nadine at 10:02 p.m. the night  
17 before?

18 A. The following morning.

19 Q. Two lines down to line 469, at 2:41 p.m. on March 13, 2019,  
20 who does that reflect that Uribe calls?

21 A. Nadine Arslanian.

22 Q. How long does that call last?

23 A. 15 seconds.

24 Q. And on line 471, two more lines down, who calls Uribe at  
25 3:29 p.m.?

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1 A. Nadine Arslanian.

2 Q. How long does that call last?

3 A. 18 minutes, 28 seconds.

4 Q. Now, if this call that we are looking at on 471 started at  
5 about 3:29 p.m. and lasted 18 minutes and 28 seconds, when  
6 would it have ended?

7 A. Approximately 3:50 p.m.

8 Q. Directing your attention to line 472, can you please read  
9 the translation of what Uribe writes to Bienvenido Hernandez at  
10 3:59 p.m.?

11 A. "I received another call. They're saying that everything  
12 is fine. Done."

13 Q. Let's look at a few days later. Directing your attention  
14 to line 481 on March 15, 2019, 12:22 p.m., can you please read  
15 what Uribe sends, by WhatsApp -- or sorry, texts to Nadine?

16 A. "Morning. Any news?"

17 Q. Directing your attention a few lines down to line 484, at  
18 1:00 p.m., can you please read what it lists Nadine as  
19 responding to Uribe?

20 A. "I will find out tonight and let you know. I'm very  
21 surprised with Will. Not one phone call, not one text."

22 Q. Directing your attention to the next line, can you please  
23 read Uribe's response at 1:01 p.m.?

24 A. "I think he will be back tomorrow."

25 Q. Please take us to page 29 of Government Exhibit 1303.



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1 Directing your attention to line 486, can you please read what  
2 Uribe writes to Nadine one minute after what we just read?

3 A. "I am trusting you."

4 Q. Directing your attention to lines 488 to 489, the two  
5 entries at 5:28 p.m. on March 15, can you please read those two  
6 messages that Nadine writes to Uribe, in order?

7 A. "Will has not text or called me once. I will find out  
8 tonight what is going on."

9 Q. Directing your attention to line 490, who does Nadine call  
10 at 5:43 p.m.?

11 A. Robert Menendez.

12 Q. How long does that call last?

13 A. Two minutes, seven seconds.

14 Q. Directing your attention to line 491, can you please read  
15 what Nadine texts to Menendez at 5:52?

16 A. "I couldn't really speak because Mike was driving me. I am  
17 home safe."

18 Q. About how long is it that Nadine texts Menendez "I couldn't  
19 really speak because Mike was driving me" after Nadine's call  
20 to Menendez?

21 A. A few minutes later.

22 Q. Directing your attention to line 492, please read Menendez'  
23 response to Nadine saying "I couldn't really speak because Mike  
24 was driving me."

25 A. "OK. We'll talk later."

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1 Q. So, directing your attention to line 493, at 7:06 p.m., how  
2 long is that after Nadine wrote to Uribe "I will find out  
3 tonight what is going on," at 5:28 p.m.?

4 A. A few hours later.

5 Q. Can you please read what Nadine writes to Menendez at  
6 7:06 p.m.?

7 A. "Laundry is done *mon amour*. I'm tidying up. It got cold  
8 out so we can do whatever you want. [Heart]"

9 Q. A few lines down on line 496, on March 16, 2019, at  
10 3:45 p.m., can you please read what Menendez texts to Nadine?

11 A. "OK. It says you're still at Benny's. I'm glad it worked  
12 out."

13 Q. Directing your attention to the next two lines, lines 497  
14 and 498, can you please read Nadine's responses to Menendez at  
15 4:08 p.m. and 4:12 p.m., in order?

16 A. "No, *mon amour*, I'm home since yesterday. I keep having to  
17 update it. I do not know why."

18 Q. Directing your attention to line 501, what is the date of  
19 that line?

20 A. March 21, 2019.

21 Q. Can you please read what Uribe texts Nadine there?

22 A. "Hello. When you come back, let's get together. Maybe  
23 Bob, you and I."

24 Q. Directing your attention to line 502, can you please read  
25 Nadine's response on March 24, 2019 at 10:44 p.m.?

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1 A. "Sounds good. I understand Sundays are not possible for  
2 you and I think it's very admirable that you keep Sundays for  
3 your family. We will catch up on Monday."

4 Q. Directing your attention to line 504, on March 25, 2019 at  
5 11:23 a.m., can you please read what Uribe writes to Nadine?

6 A. "Morning. Can we meet tomorrow afternoon?"

7 Q. Directing your attention a few lines down to line 508 at  
8 11:40 a.m., can you please read what Uribe writes to Nadine?

9 A. "Perfect. 5:00 p.m. We find a place we can talk. You and  
10 I."

11 Q. Directing your attention to line 511, the next day at  
12 12:11 p.m., please read what Uribe writes to Nadine?

13 A. "Morning. Villa Amalfi 5:30 p.m".

14 Q. Directing your attention a few lines down to line 514,  
15 5:11 p.m. on March 26, 2019, can you please read what Nadine  
16 texts Uribe?

17 A. "I am on my way. Five minutes away."

18 Q. Directing your attention two lines down to line 517 at  
19 5:13 p.m., please read what Uribe writes to Nadine?

20 A. "I am here my dear."

21 Q. Now, directing your attention to line 521, how does that  
22 March 27, 2019 date compare to the date and time that Uribe  
23 texted Nadine, "I am here, my dear," that we just looked at it?

24 A. It is the following morning.

25 Q. At 11:43 a.m. on this line, March 27, 2019, who does Uribe

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1 call?

2 A. Wael Hana.

3 Q. How long does that call last?

4 A. 12 minutes and 55 seconds.

5 Q. Directing your attention to the next line, on 5:22, whose  
6 search history does that line reflect?

7 A. José Uribe.

8 Q. Can you please read that search history entry?

9 A. Ray Catena, Edison, NJ.

10 MR. MONTELEONI: Mr. Hamill, can you please scroll  
11 down to the -- that's great so we can see the bottom of page  
12 29, top of page 30.

13 Q. Directing your attention to line 523, who does Uribe text  
14 at 11:46 a.m.?

15 A. Nadine Arslanian.

16 Q. Now, as you previously testified, Uribe called Hana at  
17 11:43 a.m. and the call lasted for 12 minutes and 55 seconds.  
18 Would Uribe have still been on the phone with Hana when he sent  
19 Nadine this text at 11:46 a.m.?

20 A. Yes.

21 Q. Can you read the quoted text from the message that Uribe  
22 sent to Nadine?

23 A. "At Edison NJ."

24 Q. Let's look at the attachment.

25 MR. MONTELEONI: Mr. Hamill can you please put up

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Government Exhibit B209-L?

Q. Special Agent Graves, directing your attention to the green bar at the top, at the center of that green bar, can you please read the time?

A. 11:44 a.m.

Q. How does that time on that screenshot compare to the 11:43 a.m. time that Uribe started a 12-minute call with Hana?

A. It is a minute into the call.

Q. Please read the text in green right below the words

"11:44 a.m."

A. "Touch to return to call. One minute, 14 seconds."

Q. Directing your attention to the pictures, does this appear to be a photograph of a computer monitor?

A. Yes, it does.

Q. Directing your attention to the top half of the photograph under Rating and Hours, can you please read the large, bolded, underlined words up until they get cut off?

A. "Mercedes Benz of EDIS."

Q. Directing your attention under the orange stars, the 4.3 it looks like orange stars, can you please read the first line of gray text?

A. "Ray Catena Auto Group."

Q. One line down -- I am not going to ask you to read it, but does it include an address and phone number?

A. Yes, it does.

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1 MR. MONTELEONI: Let's return to the chart.

2 Mr. Hamill, can you please put back up Government Exhibit 1303,  
3 page 30?

4 Q. Special Agent Graves, directing your attention to line 524  
5 at 11:56 a.m. on March 27, 2019, who does Nadine leave a  
6 voicemail for?

7 A. Robert Menendez.

8 Q. How long does she leave it after receiving the text from  
9 Uribe saying "at Edison NJ" with the photograph of a computer  
10 monitor showing Mercedes Benz establishment?

11 A. Approximately 10 minutes after.

12 Q. I am not going to play the message because the jury has  
13 already heard, but directing your attention to the third line  
14 of the message as written here, starting: "And uh, I am going  
15 to go this weekend," can you please read from there starting  
16 there all the way through the rest?

17 A. "And, um, I'm gonna go this weekend, pick a car at that,  
18 uh, Edison at uh, I forgot the name of the dealer but the  
19 Benzel Busc dealer, and I'm gonna see, uh, Monday, just sign  
20 the papers, get a car. So I'm gonna see is if he gonna, um,  
21 step up and do anything on Monday, or not. But I'm definitely  
22 gonna get a car Monday."

23 Q. Who was that message left for?

24 A. Robert Menendez.

25 Q. Directing your attention two lines down, lines 526 and 527,

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1 and the next line at -- those two lines, can you please read  
2 what Uribe texts to Nadine in those two lines?

3 A. "G afternoon. I gave your number to my friend Leo at MB.  
4 He is calling you. Leon."

5 Q. Directing your attention to line 528, the first entry at  
6 1:08 p.m. on March 27, 2019, whose contact entry does it relate  
7 to?

8 A. José Uribe.

9 Q. Please read the description?

10 A. New contact entry for Leon, Ray Catena.

11 Q. Directing your attention to line 533; at 9:53 p.m. that  
12 evening, March 27, 2019, who calls Nadine using FaceTime?

13 A. Robert Menendez.

14 Q. Now, down at line 536 at 12:42 p.m. the next day, who does  
15 Nadine give the voicemail for?

16 A. José Uribe.

17 MR. MONTELEONI: I would like to play that message,  
18 and with the Court's permission, I would like to put up  
19 Government Exhibit E115-A-TR as an aid for the jury.

20 THE COURT: Same instruction.

21 MR. MONTELEONI: Mr. Hamill, can you please put that  
22 up and please play Government Exhibit E115-A when you are  
23 ready?

24 (Audio played)

25 MR. MONTELEONI: Mr. Hamill, can you take us to page

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31 of Government Exhibit 1303?

Q. So directing your attention to line 542 at 1:53 p.m. on March 29, now, 2019, who does Nadine text?

A. Robert Menendez.

Q. Can you please read what Nadine texts to Menendez?

A. "Fairview Enterprise is going to have a car ready for me by 4:00 p.m. today. I'm going to see how late I'll can pick it up."

Q. Directing your attention to line 543, the next day on March 30th, 2019, at 3:14 p.m., can you please read the quoted language that Nadine texts to Menendez?

A. "Both cars have brown interior. Which one do you prefer?"

Q. Let's look at these photos that Nadine texts to Menendez according to this line.

MR. MONTELEONI: Mr. Hamill, can you please put up Government Exhibit A101-S?

Q. Special Agent Graves, is the nearest car pictured in that photo a convertible?

A. Yes.

Q. What type of location does it appear to be in, based on the background?

A. Parked in a garage parking spot.

MR. MONTELEONI: Mr. Hamill, can you please put up Government Exhibit A101-T?

Q. Special Agent Graves, is that nearest car in the picture a



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1 convertible?

2 A. Yes.

3 Q. Can you please read the word that is visible on the trunk  
4 lid to the left of the taillights?

5 A. 4matic.

6 Q. Let's go back to the chart.

7 MR. MONTELEONI: Mr. Hamill, can you please put back  
8 up Government Exhibit 1303, page 31?

9 Q. Special Agent Graves, directing your attention to line 544  
10 at 3:23 p.m. on March 30, 2019, the line right after Nadine  
11 texts these photographs that we just looked at. First, about  
12 how long is this line after Nadine texted the photographs and  
13 wrote both cars have brown interior, which one do you prefer?

14 A. Approximately 10 minutes.

15 Q. What does Menendez respond at 3:23 p.m.?

16 A. "What color is the second one?"

17 Q. Directing your attention to line 5:45, can you please read  
18 Nadine's response also at 3:23 p.m.?

19 A. "Black, black top and brown interior."

20 Q. Can you please read Menendez' reply on line 546 at  
21 3:24 p.m.?

22 A. "Like them both. Whatever you prefer."

23 Q. Directing your attention to line 549, what day and time  
24 does that reflect that Nadine texted Menendez, "I've been so  
25 upset all morning. Will left for Egypt yesterday, supposedly.

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1 And now thinks he is king the world and has both countries  
2 wrapped around his pinky. I really hope they replace him."

3 A. April 1, 2019, 9:44 a.m.

4 MR. MONTELEONI: Mr. Hamill, can you please take us to  
5 page 32 of Government Exhibit 1303?

6 Q. Directing your attention to line 551 at 10:20 a.m., can you  
7 please read what Nadine texts to someone identified as  
8 Kerrianne Schillari?

9 A. "Your mailbox is full. Will was supposed to take me to  
10 Edison today and I just found out that he left for Egypt. He  
11 did not even text me that he is leaving for Egypt. Do you know  
12 when he is coming back or what happened?"

13 Q. Where Nadine says "Will was supposed to take me to Edison  
14 today," what is the name of the township that Uribe texted  
15 Nadine when he attached a photograph of the Ray Catena Auto  
16 Group?

17 A. Edison.

18 Q. Directing your attention to line 552, can you please read  
19 what Nadine texts to Hana at 11:06 a.m.?

20 A. "I have been waiting since 7:00 a.m. this morning for you  
21 and Nader about my carpet which you promised last week that it  
22 would be this Monday and I thought you were going to drive me  
23 to Edison today. I have not heard one word from you."

24 Q. Directing your attention a few lines down, to line 554 at  
25 1:58 p.m., can you please read what Nadine texts to Uribe?

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1 A. "Good morning. I hope you had a good weekend. I just  
2 found out rest Will left for Egypt yesterday. I am very, very  
3 hurt and disappointed by him once again but I should not be  
4 surprised."

5 Q. Directing your attention to line 555, can you please read  
6 what it reflects that Uribe responds at 2:02 p.m.?

7 A. "Morning. I don't think so. He said he has to be back to  
8 D.C. tomorrow. In the other hand, I am worry. I was hoping to  
9 meet with you. Nothing is going on. I am worry but I have to  
10 face whatever comes my way."

11 Q. Directing your attention to the next line, can you please  
12 read what Uribe writes to Nadine at 2:03 p.m.?

13 A. "Please call MB and go get your car."

14 Q. How long did Uribe write to "Nadine please call MB and go  
15 get your car" after he wrote, "In the other hand, I am worry.  
16 I was hoping to met with you. Nothing is going on."

17 A. A minute after.

18 Q. Directing your attention to line 557 at 2:59 p.m., on April  
19 1, 2019, who does Uribe call?

20 A. Nadine Arslanian.

21 Q. How long does that call last?

22 A. 22 minutes, 15 seconds.

23 Q. Skipping a few lines down, to line 561, at 4:47 p.m. on  
24 April 1, 2019, who does Nadine text?

25 A. Robert Menendez.

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1 Q. Can you please read the first three paragraphs that Nadine  
2 texts to Menendez from "*mon amour*" to "make the arrangements  
3 for my car".

4 A. "*Mon amour*. Benny called Donald's office. They will get  
5 back to him with Donald's availability Thursday or Friday.  
6 Nader is coming at 11:30 tomorrow with some guys to install the  
7 carpet. Jose call Leon at Ray Catena to make the arrangements  
8 for my car."

9 Q. About how long is it that Nadine wrote to Menendez "José  
10 call Leon at Ray Catena to make the arrangements for my car"  
11 after Uribe's 22-minute call with Nadine at about 3:00 p.m.?

12 A. A few hours later. Or, an hour and 45 minutes later,  
13 approximately.

14 Q. Directing your attention to line 563, at 5:09 p.m. on  
15 April 1, 2019, can you please read what Uribe texts to Nadine?

16 A. "Leon said he was waiting for you."

17 Q. Directing your attention to line 564, can you please read  
18 what is listed as Nadine's response?

19 A. "I just saw your text. Will said that he was going to go  
20 with me today to, that's why I didn't follow on anything. I  
21 didn't want him to think I was going behind his back."

22 Q. Directing your attention to line 565, who calls Nadine  
23 using FaceTime at 10:11 p.m.?

24 A. Robert Menendez.

25 Q. About how long does that call last?

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1 A. 34 minutes, 42 seconds.

2 MR. MONTELEONI: Mr. Hamill, can you please take us to  
3 page 33 of Government Exhibit 1303?

4 Q. Directing your attention to line 566, can you please read  
5 the description of what Menendez texts Nadine at 10:47 p.m.?

6 A. Instagram image showing graduation caps thrown in the air  
7 and saying: "Ask yourself if what you're doing today is  
8 getting you closer to where you want to be tomorrow."

9 Q. Directing your attention to line 567, can you please read  
10 Nadine's response at 10:48 p.m.?

11 A. "Are you talking to Sabine?"

12 Q. Directing your attention to line 568, can you please read  
13 Menendez' reply at 10:49 p.m.?

14 A. "No. I just saw this and thought about the day you had.  
15 It seems fitting."

16 Q. What is the date that Menendez sent that compared to the  
17 date that Nadine texted Menendez: "Jose called Leon at Ray  
18 Catena to make arrangements for my car".

19 A. If we can scroll up just to confirm? It is the same day.

20 MR. MONTELEONI: Your Honor, it is 1:02 p.m. This  
21 might be a good time for a break.

22 THE COURT: All right, ladies and gentlemen, one hour,  
23 2:00 p.m. Enjoy your lunch.

24 (Continued on next page)

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1 (Jury not present)

2 THE COURT: You may step down.

3 (Witness steps down)

4 THE COURT: 2:00 p.m.

5 MR. FEE: Your Honor, I want to make my record. No  
6 argument here, but after your suggestion -- sorry, I will wait.  
7 It is fine.

8 After suggesting to Mr. Monteleoni returning from the  
9 break, we counted about five or six additional exhibits used  
10 with the witness that were not cited or incorporated in the  
11 chart.

12 MR. MONTELEONI: Your Honor, I have to respond to  
13 this.

14 THE COURT: You may be seated in the courtroom.

15 MR. MONTELEONI: So, there were other subject areas  
16 and comparisons that we think could have been helpful to the  
17 jury but we actually, on the fly, decided not to go there. But  
18 as you know in the preparation of these charts, the actual  
19 gathering all of the documents and putting them in the chart  
20 includes a verification process that adds considerable length  
21 and there is always going to be a few other ancillary documents  
22 that don't make it into the chart but that are very closely  
23 related to the scope and the subject matter of exactly what is  
24 listed here in the chart. That's what we did with Special  
25 Agent Coughlin and what we did here with Special Agent Graves,

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1 and some rule that if a document doesn't work its way into the  
2 demonstrative, it just throws open the scope to every  
3 exhibit --

4 THE COURT: No, I don't think it does and I haven't  
5 had a chance to go back and look at the cases that we talked  
6 about, but the point here is you want to use documents that are  
7 not referenced in the chart extremely sparingly, if at all.  
8 And if Mr. Fee is correct -- and I certainly didn't do the  
9 check -- that just since the break you have used five or six  
10 documents and referred to them that are not in the chart, I  
11 don't think that's sparingly. It seems to me you have this  
12 witness on, she didn't select the documents. All she did was  
13 verify -- if I understand her testimony correctly, verify that  
14 what is in the chart is in fact correctly reflected in the  
15 underlying documents. She has very limited knowledge about  
16 this. It seems to me you shouldn't really be bringing in  
17 additional documents; if any, very, very few.

18 I also think -- this is your case -- but it seems to  
19 me a lot of this can be saved for summation. The jury isn't  
20 really going to remember each and every one of the two minute,  
21 47 second calls and so forth and you are probably far better  
22 off, now that you have them in evidence, referring to them in  
23 your summation. It certainly would speed things along. I can  
24 only cite what you asked her to read, which is: *Ask yourself*  
25 *if what you are doing today is getting you closer to where you*

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1     *want to be tomorrow.*

2             MR. MONTELEONI: Your Honor, that is --

3             THE COURT: You had her read that. I said ah-ha.

4             MR. MONTELEONI: I will certainly meditate on those  
5 words of wisdom. I will say these are -- the documents that we  
6 are planning on using here, they've been disclosed to the  
7 defense for a week.

8             THE COURT: That's not -- sir, the disclosure is not  
9 the issue. The issue is to what extent you are questioning her  
10 to what is on the chart. I'm going to let the defense, because  
11 I think they're entitled to certainly cross-examine her on  
12 anything that you are talking about in the chart, plus anything  
13 that you are bringing up that is not in the chart. What I am  
14 urging you to do is keep that latter category to an absolute  
15 minimum and think about what I have said. All right?

16            MR. MONTELEONI: Yes, your Honor.

17            THE COURT: I don't really know what you think you are  
18 getting by talking all the time about two minutes and 47  
19 seconds and zero minutes because it appears she was on the  
20 phone with somebody else. You can weave that into your  
21 summations. You have established that, I think, that there is  
22 a close connection between Mr. Menendez and Mrs. Menendez. We  
23 don't need lots of things about her hair salon or whatever it  
24 may be.

25            MR. MONTELEONI: All right, your Honor. I will



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1 definitely -- I take you to be making two different points  
2 about the portions that are on the chart and then ancillary  
3 documents. There will have to be a few ancillary documents  
4 that we have always planned, some of the financial records  
5 don't always make it into the chart but they were always part  
6 of the scope of what we were doing.

7 We will, over the lunch break, try to keep it to an  
8 absolute minimum.

9 THE COURT: Thank you. And try to finish today. If  
10 you can. Thank you.

11 (Continued on next page)

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AFTERNOON SESSION

2:00 p.m.

THE COURT: Put the witness on the stand.

Do you think you'll be able to finish, Mr. Monteleoni?

MR. MONTELEONI: It's hard to tell. I'm balancing a lot of things, including not paining the interpreters and the court reporters and the jurors with my speed. But I will try.

THE COURT: All right. I'll take that as a yes.

(Continued on next page)

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Graves - Direct

1 (Jury present)

2 THE COURT: You may be seated in the courtroom.

3 Mr. Monteleoni, you may continue with your direct  
4 examination.

5 MR. MONTELEONI: Thank you.

6 Mr. Hamill, could you please put up page 33 of  
7 Government Exhibit 1303.

8 Q. Before the break, you testified about line 566, on April 1,  
9 2019. Let's look at the next day.

10 Directing your attention two lines down, to line 570, on  
11 April 2, 2019, at 10:40 a.m., can you please read what Nadine  
12 texts to Robert Menendez as reflected on this chart?

13 A. "Leon from Ray Catena just informed me that my car sold  
14 Saturday night and hour after I left."

15 Q. Directing your attention to lines 573 to 574, a few lines  
16 down, at 10:56 a.m., can you please read Menendez's two  
17 responses to Nadine, in order?

18 A. "OMG bummer.

19 "I am sure they can get another car for you."

20 Q. Directing your attention to line 575, can you please read  
21 Nadine's reply at 10:58 a.m.?

22 A. "Oui he is searching for one."

23 MR. MONTELEONI: Let's skip down a few lines.

24 Mr. Hamill, can you please put up Government Exhibit.

25 Q. Directing your attention to line 585, at 6:24 p.m., on

O65Wmen4

Graves - Direct

1 April 2, 2019, could you please read what Nadine texts  
2 Menendez?

3 A. "Maxi *beaucoup mon amour*. I just picked up your car."

4 Q. Directing your attention to the next line, line 586, what  
5 is Menendez's response at 6:25 p.m., according to the chart?

6 A. "OK. That was late in the day."

7 Q. Directing your attention to line 587, what does Nadine  
8 write at 6:28 p.m.?

9 A. "Ray Catena I think found me the same exact car."

10 Q. Directing your attention to line 589, at 7:03 p.m. that  
11 day, who calls to Nadine?

12 A. José Uribe.

13 Q. Directing your attention to lines 590 to '91, the next two  
14 lines, do they reflect that Menendez and Nadine again connect  
15 by FaceTime that evening after the call from Uribe?

16 A. Yes, it does.

17 Q. Directing your attention to line 592, next morning, on  
18 April 3, 2019, at 9:44 a.m., can you please read what Nadine  
19 texts Leon Pereldik?

20 A. "Good morning Leon. I was with José yesterday and he  
21 advised me I will be coming to pick up the car Friday morning  
22 from you. Could you please let me know who the check will be  
23 made out to and what kind of check you need."

24 Q. About how long is that text, where Nadine says I was with  
25 José yesterday and he advised me I will be coming to pick up

O65Wmen4

Graves - Direct

1 the car Friday morning from you, after Uribe called Nadine at  
2 about 7:30 p.m. the night before?

3 A. The following morning.

4 MR. MONTELEONI: Mr. Hamill, can you please put up to  
5 one side Government Exhibit 10J-2 and expand April.

6 Q. Special Agent Graves, where Nadine says Friday morning,  
7 what day of the week was April 5, 2019?

8 A. A Friday.

9 MR. MONTELEONI: You can take down Government Exhibit  
10 10J-2, Mr. Hamill.

11 Thank you.

12 Q. Directing your attention to line 593, can you please read  
13 the translation of what Uribe writes to Bienvenido Hernandez at  
14 10:24 a.m. on April 3, 2019, by WhatsApp?

15 A. "Good morning, I did everything on this side. I need 15K  
16 cash this morning -- this afternoon."

17 Q. About how long is this text after Uribe's call with Nadine  
18 at about 7 p.m. the evening before?

19 A. The following morning.

20 Q. Directing your attention to line 598, at 3:45 p.m. on April  
21 3, 2019, can you please read what Uribe writes to Nadine?

22 A. "Hello. How you doing? I will see you tomorrow."

23 Q. Skipping a few lines down, directing your attention to line  
24 606, at 5:19 p.m. on April 3, 2019, can you please read what  
25 Nadine writes to Uribe?

O65Wmen4

Graves - Direct

1 A. "You are a miracle worker you makes dreams come true I will  
2 always remember that."

3 Q. Is that you are a miracle worker who makes dreams come  
4 true?

5 A. Yes.

6 Q. Directing your attention to line 609, at 11:08 p.m. on  
7 April 3, 2019, can you please read what a Nader Moussa texts to  
8 Nadine?

9 A. "Congratulation you gonna have your car tomorrow."

10 Q. Directing your attention to line 610, what is the date on  
11 that line?

12 A. April 4, 2019.

13 Q. How does that day compare to the day that Nader Moussa  
14 texted congratulation you gonna have your car tomorrow?

15 A. The same day -- the day after.

16 Q. Directing your attention to the 8:25 a.m. entry reflected  
17 on line 610, can you please read what Uribe texts to Hana?

18 A. On line 610?

19 Q. On line 610, yes.

20 A. "Good morning. Do not call the guys or anybody. I am up  
21 and will take care of things by noon. Keep quiet."

22 Q. Directing your attention to the next line, at line 611,  
23 could you please read what Uribe texts to Nadine at 9:05 a.m.?

24 A. "Morning. Getting ready. I can meet you around 12:30 to  
25 1. Let me know where is good for you."

O65Wmen4

Graves - Direct

1 Q. On line 612, can you please read what Nadine texts to Uribe  
2 at 9:14 a.m.?

3 A. "Yes do you want to meet at the Walgreens parking lot by  
4 the George Washington Bridge?"

5 Q. Directing your attention to line 613, can you please read  
6 what Nadine texts to Uribe, also at 9:14 a.m.?

7 A. "If it's easier I can meet you in the parking lot at Villa  
8 Amalfi."

9 Q. On line 614, can you please read Uribe's response, also at  
10 9:14 a.m.?

11 A. "No idea. We meet at parking of same place."

12 Q. Directing your attention a couple of lines down, to line  
13 617, who calls Nadine at 10:36 a.m., according to the chart?

14 A. Robert Menendez.

15 Q. How long is that call?

16 A. Two minutes, 36 seconds, unless it's two hours, 36 minutes.  
17 I'm unsure.

18 MR. MONTELEONI: You're not sure? All right. Well,  
19 then let's look at Government Exhibit 6A dash -- let's -- let  
20 me come back to that.

21 Let's move on for now.

22 Mr. Hamill, can you please take us to page 35 of  
23 Government Exhibit 1303.

24 Q. Directing your attention to the next line, line 618, who  
25 does Nadine call at 12:16 p.m.?

O65Wmen4

Graves - Direct

1 A. Robert Menendez.

2 Q. And directing your attention to line 619, what time does  
3 Nadine leave a voice mail for Robert Menendez?

4 A. 12:17 p.m.

5 MR. MONTELEONI: I'd like to play that voice mail, and  
6 with the Court's permission, I'd like to ask Mr. Hamill to  
7 publish Government Exhibit A105-E-TR as an aid to the jury.

8 THE COURT: Same instruction.

9 MR. MONTELEONI: Mr. Hamill, can you please put that  
10 up and can you please play Government Exhibit A105-E when  
11 you're ready.

12 (Media played)

13 MR. MONTELEONI: Mr. Hamill, could you please take us  
14 back to Government Exhibit 1303, page 35.

15 Q. Directing your attention to line 620, at 12:24 p.m. on  
16 April 4, 2019, can you please read what Nadine texts Uribe?

17 A. "What time works for you?"

18 Q. How long does she text that after leaving the voice message  
19 for Menendez saying she will be taken to meet José for five  
20 minutes?

21 A. A few minutes after.

22 Q. Directing your attention to the next line, can you please  
23 read Uribe's response at 12:25 p.m.?

24 A. "1 p.m."

25 Q. Directing your attention a few lines down, to 1:03 p.m.,



O65Wmen4

Graves - Direct

1 can you please read what Nadine texts to Menendez?

2 A. "My dad and I dropped off your car. The key is with Teddy  
3 at the front desk. I informed Mike. *Milles merci mon amour de*  
4 *la vie.*"

5 Q. Directing your attention to the next line, please read what  
6 Nadine texts to Uribe at 1:05 p.m.

7 A. "I'm here."

8 Q. How does that time compare to the 1 p.m. time that Uribe  
9 said worked for him in the text we just read?

10 A. Approximately five minutes after.

11 Q. Directing your attention to the next line, please read what  
12 Uribe texts Nadine at 1:06 p.m. after she texts I'm here?

13 A. "Driving."

14 Q. Directing your attention to the next line, can you please  
15 read Nadine's reply at 1:07 p.m.?

16 A. "No rush. Drive safely."

17 Q. Directing your attention a few lines down, to line 633, at  
18 5:05 p.m. on April 4, 2019, can you please read what Menendez  
19 texts to Nadine?

20 A. "How are you getting to the dealer to pick -- pick your car  
21 tomorrow?"

22 Q. Is it to pick your car or pickup your car?

23 A. Pickup your car tomorrow.

24 Q. About how long is that after Nadine left him a voice  
25 message saying her father would take her to meet José for five

O65Wmen4

Graves - Direct

1 minutes at 12:17 p.m.?

2 A. A few hours later.

3 Q. Directing your attention to line 634, 7:22 p.m., can you  
4 please read what's listed as Nadine's response to Menendez?

5 A. "I will call enterprise and rent a car in the a.m."

6 Q. Directing your attention to line 635, can you please read  
7 Menendez's reply at 7:23 p.m., as reflected in the chart?

8 A. "How early can you go there."

9 Q. Directing your attention to line 636, can you please read  
10 what Nadine writes to Menendez at 8:35 p.m.?

11 A. Sorry. Can you repeat who is sending the message to who?

12 Q. Well, who does the chart reflect is the sender and who does  
13 the chart reflect is the recipient on line 636?

14 A. Nadine is sending a message to Robert Menendez.

15 MR. MONTELEONI: All right. Let's go back for a  
16 moment.

17 Mr. Hamill, could you please take us back to page 34.

18 Q. All right. Now directing your attention to line 617, I  
19 think you had a question about whether it was two hours and 36  
20 minutes or two minutes and 36 seconds for this call.

21 A. Yes.

22 MR. MONTELEONI: Mr. Hamill, could you please put up  
23 the cited exhibit here, Government Exhibit 6A-112, and take us  
24 to page 2,774.

25 Q. Now directing your attention to line 51,579, first, if you

O65Wmen4

Graves - Direct

1 see the con time UTC, subtract four hours to convert it to  
2 Eastern Daylight Time, what time is that in the morning?

3 A. The connection time?

4 Q. Yes.

5 A. 11:36 a.m.

6 Q. If you subtract four hours from the 14, would it be --

7 A. Sorry. 10 -- 10:36 a.m.

8 Q. Can you please read the ET, the elapsed time?

9 A. 2:36.

10 Q. Right. And so does that reflect two minutes and 36  
11 seconds?

12 A. Yes.

13 MR. MONTELEONI: All right.

14 Mr. Hamill, could you please take us back to page 35  
15 of Government Exhibit 1303.

16 Q. Now, directing your attention to line 636, can you please  
17 read what the chart reflects that Nadine writes to Menendez at  
18 8:35 p.m., April 4, 2019?

19 A. "Jeff just text me that he does not have a car until after  
20 1 p.m. tomorrow. Do you think Mike would be very very upset if  
21 he had to drive me and drop me off in Addison and I will drive  
22 my car back tomorrow, and he will never have to drive me again  
23 after that."

24 Q. On line 637, can you please read Menendez's response at  
25 8:36 p.m.?

O65Wmen4

Graves - Direct

1 A. "Unfortunately *mon amour* he will be with me in NYC at that  
2 time. Let me ask Mateo."

3 Q. On line 638, can you please read Menendez's message at 8:40  
4 p.m.?

5 A. "Mateo will pick you up at noon."

6 MR. MONTELEONI: I want to come back to those next two  
7 lines about cash payment in a few minutes and move on a few  
8 lines more.

9 Q. Directing your attention to line 642, at 9:14 a.m. on April  
10 5, 2019, can you please read what Leon Pereldik texts Nadine?

11 A. "I am ready."

12 Q. Directing your attention to line 643, at 9:42 a.m. on April  
13 5, 2019, can you please read what Uribe writes to Nadine?

14 A. "Good morning. Blessings for a successful day."

15 Q. Directing your attention to line 644, the next line, can  
16 you please read Nadine's response to Uribe at 9:42 a.m. on  
17 April 5, 2019?

18 A. Did you say 9:42 a.m.?

19 Q. 9:48 a.m. Sorry.

20 A. "Good morning. Thank you. For all of us, 2019 will be a  
21 fantastic year."

22 Q. Directing your attention to the next line, line 645, can  
23 you please read Uribe's response?

24 A. "Amen."

25 Q. Now, directing your attention to line 646, at 11:09 a.m.,

O65Wmen4

Graves - Direct

1 can you please read what Menendez texts Nadine?

2 A. "Congrats on your cleaning up your emails."

3 Q. Can you please read Nadine's response on the next line at  
4 11:37 a.m.?

5 A. "Under 5900 emails now. I'm still here."

6 Q. Directing your attention to the bottom line on the page,  
7 line 648, at 11:38 a.m., can you please read Menendez's reply?

8 A. "What are you waiting for?"

9 MR. MONTELEONI: Mr. Hamill, can you please take us to  
10 page 36 of Government Exhibit 1303.

11 Q. Special Agent Graves, directing your attention to 649, can  
12 you please read Nadine's reply to Menendez at 11:43 a.m.?

13 A. "Showing me how car works and signing papers."

14 Q. Directing your attention to the next line, line 650, can  
15 you please read what Nadine texts to Uribe at 12:05 p.m.?

16 A. "Signing papers now."

17 Q. Directing your attention to the first 12:14 p.m. line, can  
18 you please read Uribe's response on line 651?

19 A. "Great."

20 MR. MONTELEONI: You just read signing papers now, was  
21 texted by Nadine.

22 Mr. Hamill, can you please put up Government Exhibit  
23 1420, page 1. And I'll now read paragraphs 1, 1a and 1b of  
24 Government Exhibit 1420:

25 "1. If called as a witness at trial, a representative

O65Wmen4

Graves - Direct

1 of Ray Catena Motor Car Corporation ('Ray Catena') would  
2 testify that Ray Catena is a car dealership in New Jersey with  
3 a location in Edison, New Jersey.

4 "The documents marked for identification as Government  
5 Exhibits 7E-1 and 7E-2 are true and accurate copies of records  
6 for Ray Catena."

7 I won't read the rest of that paragraph.

8 Mr. Hamill, could you please put up what's in evidence  
9 as Government Exhibit 7E-1 and take us to page 22.

10 Q. Special Agent Graves, directing your attention to the  
11 printed words at the top center of the page, can you please  
12 read those two line, starting Ray Catena?

13 A. "Ray Catena Motor Car Corporation, Smart Center of Edison."

14 Q. And directing your attention to the left side, in the top  
15 quarter of the page, could you please read the name next to  
16 sold to?

17 A. "Nadine Arslanian."

18 Q. On the right-hand side of the line, can you please read the  
19 number under the word "invoice"?

20 A. "151648."

21 Q. Now directing your attention to the first row of black  
22 headings in the large box taking up most of the page, directing  
23 your attention to the third black heading over, reading make,  
24 can you please what is in the right box, right under the word  
25 "make"?

O65Wmen4

Graves - Direct

1 A. "Mercedes-Ben."

2 Q. Two boxes over to the right, can you please read what's  
3 written in right white box under the black heading reading  
4 model?

5 A. "C-300A4."

6 Q. Back one column, can you please read what is written in the  
7 white box under the word "color"?

8 A. "Black."

9 Q. At the beginning of the row, could you please read the  
10 number under the word "year"?

11 A. "2019."

12 Q. One column to the right, could you please read what is  
13 written under the heading new or used?

14 A. "New."

15 MR. MONTELEONI: Mr. Hamill, can you please expand the  
16 large white box from under those headings down to the total  
17 line, but don't expand that pattern border yet.

18 That's perfect, Mr. Hamill.

19 Thank you.

20 Q. Special Agent Graves, directing your attention to the  
21 column all the way to the right reading sale, directing your  
22 attention down to total cash price row, could you please read  
23 what's in the total cash price row under the sale column?

24 A. "\$67,586.65."

25 Q. Skipping down to the total time price line, can you please

O65Wmen4

Graves - Direct

1 read the total time price?

2 A. "\$79,170.72."

3 Q. Now, down two more lines, in the row that starts cash on  
4 delivery, what's written in the cash on delivery row?

5 A. "15,000."

6 Q. Let's take a look at the large white box to the left and,  
7 in that box, to the two columns that are handwritten in there  
8 that are sort of roughly under the description and the price  
9 headings, starting 1000. Special Agent Graves, what's written  
10 on the same line as the row 1000?

11 A. "Cash."

12 Q. Next row down, what's written after the number 2,500?

13 A. "MC."

14 Q. Now, I'm not going to ask you to read these numbers out  
15 from the next three rows, reading 5100, 4900 and 1500 in the  
16 first column, are they the numbers in the second column?

17 A. Yes.

18 Q. If you add together all the numbers in the first column --  
19 that's 1000, 2500, 5100, 4900 and 1500 -- what does that add up  
20 to?

21 A. 15,000.

22 Q. How does that compare to the cash-on-delivery amount that  
23 you just read?

24 A. It's the same.

25 MR. MONTELEONI: You just read after the entry 2500



O65Wmen4

Graves - Direct

1 with the letters MC.

2 Let's go to page 23 of Government Exhibit 7E-1,  
3 Mr. Hamill. And could you please expand the portion of it that  
4 looks like a printed receipt.

5 Q. Special Agent Graves, directing your attention under all  
6 the Xs, can you please read the word under those Xs?

7 A. "MasterCard."

8 Q. One line down, can you please read the amount after the  
9 word "total" and the dollar sign?

10 A. "2,500."

11 Q. What's the date on this receipt on the line after total?

12 A. 4/5/19.

13 Q. And going back up to the Xs, what are the last four digits  
14 after those Xs?

15 A. 7619.

16 MR. MONTELEONI: Mr. Hamill, please take us to page 19  
17 of Government Exhibit 7E-1.

18 Q. Directing your attention to the top check image, can you  
19 please read words in the top center of that?

20 MR. MONTELEONI: No. Sorry. The very top image with  
21 the Chase in the corner of it.

22 Q. Please read the words in the top center of that image.

23 A. "Cashier's check."

24 Q. Who is listed as the remitter on this cashier's check?

25 A. Garbis I. Tabourian.

O65Wmen4

Graves - Direct

1 Q. What's the amount of the cashier's check?

2 A. \$5,100.00.

3 Q. Directing your attention to the next check down, whose name  
4 is on the left corner of the middle check?

5 A. The name on the left-hand side?

6 Q. Yes.

7 A. Nadine Arslanian.

8 Q. And what's the amount of this check?

9 A. \$4,900.

10 Q. Directing your attention to the bottom of the check, whose  
11 name is handwritten on the upper left corner of the bottom  
12 check?

13 A. Nadine Arslanian.

14 Q. What's the amount on the bottom check?

15 A. \$1,500.

16 MR. MONTELEONI: All right. Now, could you drop that  
17 expansion, Mr. Hamill, and then put up to one side page 22 of  
18 Government Exhibit 7E-1 and expand those same two handwritten  
19 columns that we were just looking at.

20 Q. Special Agent Graves, I'm not going to ask you to read them  
21 out, but how do the amounts and check numbers of these three  
22 checks on page 19 of Government Exhibit 7E-1 compare to the  
23 last three rows of those two handwritten columns on page 22 of  
24 Government Exhibit 7E-1?

25 A. They match.

O65Wmen4

Graves - Direct

1 MR. MONTELEONI: Mr. Hamill, you can drop both of  
2 those pages and take us to Government Exhibit 7E1-1, page 10.

3 Can you expand the applicant information section in  
4 the top half of the page.

5 Q. Special Agent Graves, can you please read the employer name  
6 on the left, several lines down in the applicant information  
7 section?

8 A. "Self EMPL."

9 Q. One line below that, can you please read the number in the  
10 salary box?

11 A. "\$197,000."

12 Q. Two boxes to the right, can you please read what's in the  
13 occupation box?

14 A. "Vice president."

15 Q. One box to the right of that, can you please read what's in  
16 the length-of-employment box?

17 A. "Three years."

18 MR. MONTELEONI: Let's go back to the chart.

19 Mr. Hamill, can you please take us to page 36 of  
20 Government Exhibit 1303.

21 Q. Directing your attention to line 650, where we were  
22 previously looking, what is the time that Nadine texts Uribe  
23 signing papers now?

24 A. 12:05 p.m.

25 Q. Two lines down from that, who does Nadine text at 12:14

O65Wmen4

Graves - Direct

1 p.m. on line 652?

2 A. Robert Menendez.

3 Q. Could you please read what Nadine texts to Robert Menendez?

4 A. "Congratulations *mon amour de la vie* we are the proud  
5 owners of a 2019 Mercedes." Heart emoji.

6 Q. Skipping a line, who calls Nadine at 1:22 p.m. on line 654?

7 A. Robert Menendez.

8 Q. How long is that after Nadine texted Menendez

9 congratulations, *mon amour de la vie*. We are the proud owners  
10 of a 2019 Mercedes?

11 A. Approximately an hour later.

12 Q. Now, directing your attention back up a line, what does  
13 Uribe text to Nadine at 1:16 p.m.?

14 A. "Are you happy?"

15 Q. And directing your attention down to line 656, can you  
16 please read Nadine's response to Uribe?

17 A. "I will never forget this."

18 Q. Directing your attention to the next line, line 657, could  
19 you please read Uribe's response at 8:14 p.m.?

20 A. "Thank you."

21 Q. Directing your attention to line 659, what is the date of  
22 that line?

23 A. April 6, 2019.

24 Q. How does that compare to the date that Nadine texted Uribe  
25 I will never forget this, that you just read?

O65Wmen4

Graves - Direct

1 A. It's the day after.

2 Q. Now, on line 659, can you please read what Nadine texts  
3 Uribe on April 6?

4 A. "Good afternoon. Thank you again. I have not forgotten.  
5 I am trying to see what the schedule is that we can meet  
6 tonight. I know tomorrow is not good for you."

7 Q. Skipping a few lines, to line 663, at 5:41 p.m. on April 6,  
8 2019, can you please read Nadine's text to Uribe?

9 A. "I will be with Bob at 7:20-ish will let you know I am  
10 hoping it will be around 9:30. I know he has a 7:30 meeting."

11 Q. Directing your attention two lines down, to lines 665 and  
12 666, can you please read Uribe's two texts to Nadine at 6:18  
13 and 6:21 p.m., in order?

14 A. "My friend do not worry he probably have a million things.  
15 We can always pick another day.

16 "I thank you for everything you do for me."

17 Q. Directing your attention to 6:33 p.m., on line 667, can you  
18 please read Nadine's text to Menendez?

19 A. "I am not going to tell them I got a new car."

20 "I will park lir down the street and get there by 7.  
21 I told her your event ran late.

22 "So instead of coming up and picking me up just come  
23 straight to Grissini's when you are ready."

24 Q. All right. So, I'm not going to ask you to read all of the  
25 messages that are listed here between Uribe and Hana that

O65Wmen4

Graves - Direct

1 evening, but directing your attention down to lines 673 and  
2 674, can you please read what Hana texts to Uribe at 8:14 p.m.  
3 on those two lines in order?

4 A. "Thy will be done by 9:30.

5 "To meet."

6 MR. MONTELEONI: Mr. Hamill, could you please take us  
7 to page 37 of Government Exhibit 1303.

8 Q. Directing your attention down to line 685, at 11:07 p.m.,  
9 can you please read what Nadine texts to Uribe?

10 A. "Are you st at Sofia with will."

11 Q. Directing your attention to lines 686 and 687, can you  
12 please read Uribe's responses on the next two lines, in order?

13 A. "I am leaving. Tomorrow is another day.

14 "I am with him I his car."

15 Q. Directing your attention to line 691, the last 11:09 p.m.  
16 entry, please read what Nadine texts to Uribe.

17 A. "Come with hon to my house."

18 Q. Directing your attention to lines 692 and 693, can you  
19 please read Uribe's responses at 11:10 and 11:11 p.m., in  
20 order?

21 A. "No. Relax. They are filling me at my office.

22 "We are good. Please say thank you to our friend. I  
23 owe you one."

24 Q. Directing your attention to the next two lines, 694 and  
25 695, 11:11 p.m. and 11:12 p.m., please read what Nadine text to

O65Wmen4

Graves - Direct

1 say Uribe, in order.

2 A. "Bob and I are going ho my house if you want come by any  
3 dime. He just finished his meeting g.

4 "If you are dropping him him come by 40 Jane -- 41 Jane  
5 Drive Englewood cliffs BJ."

6 Q. Directing your attention to 696 at 11:13 p.m., please read  
7 what Uribe texts to Nadine.

8 A. "*Mi hermana* you need to rest. We are good. God is huge."

9 MR. MONTELEONI: Directing your attention to the next  
10 few lines that list a variety of cash payments, Mr. Hamill, can  
11 you please put up the cited government exhibit, 5F-202. Take  
12 us to page 2.

13 Q. Special Agent Graves, first, directing your attention to  
14 the line that says account number, could you please read the  
15 last four digits at the end of that long number?

16 A. 7619.

17 Q. How does that compare to those last four digits that we saw  
18 at the end of all those Xs on the Mastercard receipt from the  
19 Ray Catena records?

20 A. I believe they were the same, but I would, maybe, like to  
21 see them side by side, just to confirm.

22 Q. Directing your attention to the next line, can you please  
23 read that line?

24 A. "Commercial credit card - documents."

25 MR. MONTELEONI: Mr. Hamill, could you please put up

O65Wmen4

Graves - Direct

1 page 3.

2 Q. Directing your attention, first, to the ticket image, can  
3 you please read the word on the top center of the ticket image  
4 in line with the Chase logo?

5 A. "Payment."

6 Q. Please read what's handwritten in the customer-name box on  
7 the ticket?

8 A. "Nadine Arslanian."

9 Q. Now, directing your attention to the lines of typed-out  
10 text at the top of the page, in the upper left corner of the  
11 whole page, could you please read the printed date after  
12 posting date?

13 A. 2019, 4/4.

14 Q. How does that date compare to the date that Nadine left a  
15 voice message for Menendez that she was getting taken to meet  
16 José for five minutes?

17 A. It's the same day.

18 Q. Directing your attention to the right-hand column on the  
19 bottom, above the ticket image, please read the processing  
20 date.

21 A. 2019, 4/4.

22 Q. How does that compare to the posting date?

23 A. It's the same.

24 Q. What's the handwritten date on the ticket?

25 A. 4/3/14, possibly 19.



O65Wmen4

Graves - Direct

1 Q. Directing your attention on the ticket, what's the  
2 handwritten total after total?

3 A. 1700.

4 Q. Now, going back up to the column on the left, in the top  
5 quarter of the page, directing your attention near the bottom  
6 of the column to the left, to the line that says cost center,  
7 please read the number after cost center.

8 A. 577.

9 MR. MONTELEONI: Let's turn to page 4 of Government  
10 Exhibit 5F-202.

11 Q. Directing your attention to the upper left corner, please  
12 read the large text in the corner.

13 A. "Fort Lee."

14 Q. A few lines down from Fort Lee, please read the number  
15 that's written after cost center?

16 A. "000577."

17 Q. So how does that number compare to the cost-center number  
18 that was written on the \$1,700 ticket page we just looked at?

19 A. It's the same, apart from the first three zeroes.

20 Q. Directing your attention one line down, how does the branch  
21 number compare to the cost-center number?

22 A. It's the same.

23 Q. And directing your attention to the bottom right column,  
24 about a quarter of the way down the page, please read the  
25 address.

O65Wmen4

Graves - Direct

1 A. "188-190 Main Street, Fort Lee, New Jersey 07024."

2 MR. MONTELEONI: Mr. Hamill, could you please take us  
3 to page 5 of Government Exhibit 5F-202.

4 Q. Special Agent Graves, directing your attention to the  
5 posting date and processing date in the columns on this page,  
6 what are those dates?

7 A. 2019, 4/4.

8 Q. How do those compare to the posting date and processing  
9 date on the first ticket we just looked at?

10 A. They're the same date.

11 Q. Can you please read the amount?

12 A. "900."

13 Q. You previously read that the first ticket had a cost-center  
14 number of 577.

15 Directing your attention to the cost-center line here, can  
16 you please read the cost-center number here?

17 A. "3203."

18 MR. MONTELEONI: Mr. Hamill, could you please take us  
19 to page 6.

20 Q. Special Agent Graves, could you please read the large word  
21 in the top left?

22 A. "Englewood."

23 Q. Directing your attention a few lines down in the first  
24 column, what's the cost-center number here?

25 A. 003203.

O65Wmen4

Graves - Direct

1 Q. What's the branch number?

2 A. 003203.

3 Q. Directing your attention to the bottom of that column, can  
4 you read the address?

5 A. "50 Grand Avenue, Englewood, New Jersey 07631."

6 Q. Is that the same or different as the address that's listed  
7 on the page that's associated with the cost-center number 577?

8 A. It's different.

9 Q. Now, Special Agent Graves, were there more payment tickets  
10 to the account in the records that you reviewed?

11 A. Yes, there were.

12 MR. MONTELEONI: Mr. Hamill, could you please put up  
13 Government Exhibit 1328.

14 Q. Special Agent Graves, what are we looking at here?

15 A. Summary chart of payments.

16 Q. Is this one of the ones you verified?

17 A. Yes, it is.

18 Q. What does the date column reflect?

19 A. The date that it was processed.

20 Q. What does the branch column reflect?

21 A. The branch that processed it.

22 Q. What does the cash payment reflect?

23 A. The amount that the cash payment was.

24 Q. Directing your attention to the first row, is that one of  
25 the payments that we just looked at the ticket of?

O65Wmen4

Graves - Direct

1 A. Yes, it is.

2 Q. What does it mean that there's a parenthetical at the end  
3 saying in \$100 notes?

4 A. It's explaining that the \$1,700 was in 17 \$100 bills.

5 Q. Now, by the way, there are two rows for April 6, 2019. Are  
6 those payments listed as at the same branch or different  
7 branches on that same day?

8 A. On April 6, different branches.

9 Q. What is the total amount of all these cash payments that  
10 are listed as being processed from April 4, 2019, to April 8,  
11 2019?

12 A. \$11,300.

13 MR. MONTELEONI: Let's go back to the timeline.

14 Mr. Hamill, could you please put back up Government  
15 Exhibit 1303 and take us to page 37.

16 Q. Special Agent Graves, directing your attention to line 706,  
17 on April 11 at 12:53 p.m., could you please read what Uribe  
18 writes to Nadine?

19 A. "Morning. Blessings for a wonderful day. We getting  
20 together today or tomorrow?"

21 Q. Directing your attention to the next line, line 707, please  
22 read what Nadine writes at 2:04 p.m.

23 A. "Unfortunately I am still in D.C. We will be home late  
24 tonight I will make a priority on the train to bring it to a  
25 definite time tomorrow. I will -- I did get a thank you token.

O65Wmen4

Graves - Direct

1 I hope you will like it. You have been on my mind every single  
2 day."

3 Q. Two lines later, can you please read what Uribe writes to  
4 Nadine at 2:28 p.m.?

5 A. "About dinner together, don't push him. I know he has a  
6 lot of things on his plate. If you know that everything is  
7 going good, thank you God, let him pick a day he is rest to  
8 have a friendly meeting."

9 MR. MONTELEONI: Mr. Hamill, could you please take us  
10 to page 38 of Government Exhibit 1303.

11 Q. Directing your attention to line 714, which is listed as  
12 3:42 p.m. on April 14, 2019, could you please read the first  
13 two paragraphs of what Nadine writes to Uribe?

14 A. "Hi José. I spoke to Wael on Friday he said in lieu of  
15 breakfast we will do dinner when Bob gets back from his  
16 official business trip in 10 days. Which worked out better  
17 because this morning he had a flat tire in south Jersey and was  
18 waiting for AAA that did not show up.

19 "I left Leon a message that I will take the car to him to  
20 see why it was not working after I get back.

21 "You have been in my prayers and thoughts every single  
22 day."

23 Q. Could you please read the last paragraph?

24 A. "I spoke to him yesterday and I know everything is going to  
25 be perfect. 2019 will be fantastic for all of us. God

O65Wmen4

Graves - Direct

1 willing."

2 Q. Directing your attention a few lines down, to line 717, at  
3 2:40 p.m. on April 16, 2019, what type of document does it list  
4 that Jennifer Menjivar sends to Edmund DeNoia?

5 A. An email.

6 MR. MONTELEONI: Let's look at the email.

7 Mr. Hamill, please put up Government Exhibit 4G-6.

8 Q. Special Agent Graves, directing your attention to the from  
9 line, could you please read the email address of the user with  
10 the display name Jennifer Menjivar?

11 A. "Menjivarj@njdcj.org."

12 Q. Directing your attention to the to line, please read the  
13 email address of the user with the display name Edmund DeNoia.

14 A. "Edenoia@critchleylaw.com."

15 Q. Could you please read the subject?

16 A. "Elvis Parra - plea letter."

17 Q. Please read the body?

18 A. "Hi Eddie. Please find attached the updated plea letter re  
19 Elvis Parra. I spoke with Judge Batista's law clerk yesterday,  
20 and she advised that the plea has been scheduled for April 29,  
21 2019, at 9 a.m."

22 MR. MONTELEONI: Look briefly at the attachment.

23 Mr. Hamill, could you please take us to page 2.

24 Q. Special Agent Graves, directing your attention to the  
25 letterhead, is this the letterhead that we looked at earlier

O65Wmen4

Graves - Direct

1 with the name of the attorney general, Gurbir Grewal?

2 A. Yes, it is.

3 MR. MONTELEONI: Now, could you please take us to page  
4 3 now of Government Exhibit 4G-6 and expand the top half.

5 Q. Special Agent Graves, can you please read, in the second  
6 paragraph, and please read that first sentence starting with  
7 the state will accept?

8 A. "The state will accept from defendant a guilty plea to  
9 Count Two of the indictment to third degree insurance fraud, in  
10 violation of N.J.S.A. 2C:21-4.6."

11 Q. Could you please read the last sentence of that paragraph,  
12 starting with the state will further agree to, and then  
13 including that first bullet point, stopping after noncustodial  
14 probation?

15 A. "The state will further agree to, and defendant understands  
16 and accepts, the following terms and conditions of sentence:

17 "The state will recommend to the sentencing Court that  
18 defendant be sentenced to a term of noncustodial probation."

19 MR. MONTELEONI: Let's return to the timeline.

20 Mr. Hamill, can you please take us back to Government  
21 Exhibit 1303, page 38.

22 Q. Special Agent Graves, directing your attention to line 727,  
23 at 3:04 p.m. on April 26, 2019, can you please read what Hana  
24 texts to Nadine?

25 A. "What time we meeting."

O65Wmen4

Graves - Direct

1 Q. Directing your attention to line 730, can you please read  
2 what Nadine texts to Hana at 3:26 p.m.?

3 A. "José left me a message that he has a meeting at 7 o'clock  
4 and he cannot meet Bob wants to do one meeting with everybody,  
5 so I will call you in 30 minutes so we can see what's going to  
6 happen. We have to leave for the airport at 8:40."

7 MR. MONTELEONI: Mr. Hamill, can you please take us to  
8 page 39.

9 Q. Directing your attention to line 737, at 4:46 p.m. on April  
10 26, 2019, can you please read what Uribe writes to Nadine?

11 A. "Wael just called and I see you later."

12 Q. Directing your attention to line 738, can you please read  
13 Nadine's response at 4:57 p.m.?

14 A. "Looking forward to it."

15 Q. Directing your attention to the next line, can you please  
16 read what Hana writes to Nadine at 6:21 p.m.?

17 A. "We are here."

18 Q. Directing your attention to line 740, 10:07 p.m., can you  
19 please -- first of all, how long is it that Uribe texts Nadine  
20 after Hana wrote we are here?

21 A. A few hours.

22 Q. Can you please read what Uribe writes to Nadine at 10:07  
23 p.m.?

24 A. "Thank you."

25 Q. Directing your attention to line 741, the next day, April



O65Wmen4

Graves - Direct

1 27, 2019, at 3:41 p.m., can you please read what Menendez texts  
2 Nadine?

3 A. *"Merci mon amour. We are all set for tonight. Did the*  
4 *dealer call you?"*

5 Q. Directing your attention to the next line, can you please  
6 read the first paragraph of Nadine's reply at 3:57 p.m.?

7 A. "I left him two messages he is off today. Leon called me  
8 after José reached out to him. Supposedly a wire snapped and  
9 broke, but they cannot fix it until Monday because it has to be  
10 a special technician that has to fix it."

11 Q. Directing your attention to line 744, a few days later, on  
12 April 30, 2019, can you please read the text that Nadine sends  
13 to Menendez?

14 A. "The car is home."

15 MR. MONTELEONI: Let's look at the photograph that she  
16 attaches.

17 Mr. Hamill, could you please put up what's in evidence  
18 as Government Exhibit A101-A.

19 Mr. Hamill, could you please take us back to  
20 Government Exhibit 1303 and put up page 39.

21 Q. Directing your attention to line 745, at 10:31 a.m., after  
22 Nadine texts Menendez that photograph, could you please read  
23 Menendez's response?

24 A. "Woopy."

25 Q. Directing your attention to the next line, line 746, could

O65Wmen4

Graves - Direct

1 you please read what Menendez writes to Nadine, also at 10:31  
2 a.m.?

3 A. "Did they go through everything with you and Andre."

4 MR. MONTELEONI: Mr. Hamill, could you please take us  
5 to page 40.

6 Q. Directing your attention to line 747, can you please read  
7 Nadine's reply at 11:23 a.m.?

8 A. "No the guy said all he does is drive and pick up the  
9 cars."

10 Q. Directing your attention to the next line, 748, at 11:43  
11 a.m., could you please read Nadine's text to Uribe?

12 A. "Good morning. I have my car back. Thank you. I've been  
13 emptying the basement with my son all morning hopefully they  
14 can put the carpet by noon as I was told yesterday and the day  
15 before yesterday."

16 Q. Directing your attention to the next line, can you please  
17 read Uribe's reply at 11:44 a.m.?

18 A. "Good morning, girl. Enjoy your car. Let's hope on the  
19 carpet -- let's hope on your carpet."

20 Q. Now, directing your attention to lines 750 and 751, what is  
21 the date of those two lines?

22 A. May 1, 2019.

23 Q. Can you please read what Uribe texts Nadine on those two  
24 lines, in order.

25 A. "Good morning. Blessings for a beautiful day. Any luck

O65Wmen4

Graves - Direct

1 with the carpet?

2 "Also, please send me the invoice."

3 Q. Two lines down, at line 753, can you please read Nadine's  
4 response listed at 4:04 p.m. on May 1, 2019?

5 A. "Sorry it's been such a hectic 2 days. They came today.  
6 Thanks for caring. I will look for it now and send it. I've  
7 been on the phone with cable company and credit card company  
8 for almost 3 hours. Nothing resolved yet. But I'm positive.  
9 I'm on hold on speaker so I can do it simultaneously."

10 Q. Directing your attention two lines down, to line 755, 4:48  
11 p.m. on May 1, 2019, what type of file does Nadine send Uribe?

12 A. Photograph of invoice for Mercedes-Benz Financial Services  
13 to Nadine Arslanian.

14 MR. MONTELEONI: Let's look at the image.

15 Mr. Hamill, please put up Government Exhibit B209-F  
16 and rotate it 90 degrees counterclockwise.

17 Q. Special Agent Graves, first, is this an electronic document  
18 or a photograph of a physical document?

19 A. Appears to be a photograph of a physical document.

20 Q. Directing your attention to the bottom half of the page,  
21 can you please read the line below the gray dotted line to the  
22 left, left of the small words "correspondence address."

23 A. "Mercedes-Benz Financial Services."

24 Q. A few lines down, under Mercedes-Benz Financial Services,  
25 please read the name on the first line and the address?

O65Wmen4

Graves - Direct

1 A. "Nadine Arslanian, 41 Jane Drive."

2 Q. Directing your attention to the top half of the page, I'm  
3 not going to ask you to read it, but is there a web address and  
4 a phone number under the gray contact-us heading?

5 A. Yes.

6 Q. Now, directing your attention back under the gray dotted  
7 line to the second column on the right-hand side, below the  
8 gray bar that says mail payment to, I'm not going to ask you to  
9 read out the number, but does it list an account number?

10 A. Yes, it does.

11 Q. Two lines down, can you please read the amount listed after  
12 total amount due?

13 A. "\$891.26."

14 Q. One line above that, can you please read the date after the  
15 words "total amount due by"?

16 A. 5/4, 2019.

17 MR. MONTELEONI: Mr. Hamill, please put back up  
18 Government Exhibit 1303, page 40.

19 Q. Directing your attention, first, to line 755, this May 1,  
20 2019, 4:48 p.m. line in which this bill was texted, how long is  
21 that before the total amount due by date that you just read,  
22 which is May 4, 2019?

23 A. A few days before.

24 MR. MONTELEONI: Let's look at the next line.

25 Q. On line 756, at 4:50 p.m., how long is that after Nadine

O65Wmen4

Graves - Direct

1 sends the picture of the invoice from Mercedes-Benz Financial  
2 Services?

3 A. Approximately two minutes after.

4 Q. Can you please read what Nadine writes to Uribe  
5 approximately two minutes after sending him the picture of the  
6 invoice?

7 A. "By Saturday can I pick up the info on part two unless you  
8 want to text it to me."

9 Q. Directing your attention to the next line, can you please  
10 read Uribe's response?

11 A. "I send you later."

12 MR. MONTELEONI: Mr. Hamill, could you please take us  
13 to page 41 of Government Exhibit 1303.

14 Q. Directing your attention to line 758, on May 3, 2019, at  
15 12:48 p.m., what does Uribe send to a user identified as  
16 Fernando Barruos?

17 A. The same photograph of the invoice from Mercedes-Benz  
18 Financial Services to Nadine Arslanian.

19 Q. Directing your attention to the next two lines, can you  
20 please read the translation of what Barruos writes in response  
21 to Uribe, also at 12:48 p.m., and then at 12:49 p.m.; can you  
22 please read those responses, in order?

23 A. "LOL.

24 "That's called power."

25 Q. Directing your attention to the next line, line 761, can

O65Wmen4

Graves - Direct

1 you please read the translation of what Uribe writes to  
2 Barruos, also at 12:49 p.m.?

3 A. "Call and pay this using the Barruos account. I don't want  
4 to use anything with my name on it. And Raisa didn't send the  
5 money orders."

6 Q. Two lines down, line 763, can you please read Barruos's  
7 response to Uribe?

8 A. "OK."

9 Q. Directing your attention to line 767, who does Barruos call  
10 at 2:46 p.m.?

11 A. Who does Barruos call?

12 Q. Yes.

13 A. José Uribe.

14 Q. Directing your attention to line 768, 2:49 p.m., how long  
15 does what's listed as Uribe's return call to Barruos, how long  
16 does that call last?

17 A. 19 minutes, 23 seconds.

18 Q. Directing your attention to line 770, who does Uribe call  
19 at 3:16 p.m.?

20 A. Nadine Arslanian.

21 Q. About how long is Uribe's call to Nadine after Barruos's  
22 call to Uribe -- actually, after the immediately preceding  
23 Barruos call to Uribe, on line 769, which was just 37 seconds?

24 A. A few minutes after.

25 Q. And how long does Uribe's call to Nadine last?

O65Wmen4

Graves - Direct

1 A. 26 seconds.

2 Q. Directing your attention to the next line, line 771, at  
3 3:17 p.m., can you please read what Uribe texts to Nadine?

4 A. "Please call me. I need some information to make the  
5 payment."

6 Q. Skipping a line, going to line 773, how long does Uribe's  
7 call to Nadine at 4:17 p.m. last?

8 A. Five seconds.

9 Q. Skipping down to line 776, how long does Uribe's call to  
10 Nadine at 7:33 p.m. last?

11 A. Six seconds.

12 Q. Directing your attention to the next line, line 777, please  
13 read what Uribe texts to Nadine, also at 7:33.

14 A. "I really need to speak to you."

15 Q. Directing your attention to the next three lines, lines 778  
16 to 780, how long is the longest of Uribe's three calls to  
17 Nadine between 7:39 p.m. and 7:52 p.m.?

18 A. 17 seconds.

19 Q. Directing your attention to line 781, at 8:25 p.m., can you  
20 please read what Uribe texts to Nadine?

21 A. "I really need to speak to you."

22 Q. Directing your attention to the next line, line 782, can  
23 you please read what Nadine texts to Uribe at 9:47 p.m.?

24 A. "Just got out of meeting. Do you want to have cigar or  
25 drink with Bob?"

O65Wmen4

Graves - Direct

1 MR. MONTELEONI: Mr. Hamill, could you please take us  
2 to page 42 of Government Exhibit 1303.

3 Q. Directing your attention to the top line, line 783, please  
4 read Uribe's response at 9:49 p.m.

5 A. "Let's have a drink. Where?"

6 Q. Directing your attention to lines 784 to 785, at 9:52 p.m.,  
7 can you please read the two messages that Nadine sends to Uribe  
8 on those two lines, in order?

9 A. "Sofia?"

10 "I know you don't like it."

11 Q. Directing your attention to lines 786 and 787, can you  
12 please read the length of those two calls from Nadine to Uribe  
13 on those lines?

14 A. "Zero seconds."

15 "Two minutes and one second."

16 Q. Directing your attention to line 788, at 10:08 p.m., can  
17 you please read what Nadine texts to Uribe?

18 A. "Gee are at Sofia."

19 Q. Directing your attention to line 789 at 10:09 p.m., please  
20 read what Uribe writes to Nadine.

21 A. "I'm on the way."

22 Q. Directing your attention to line 790, at 10:31 p.m., can  
23 you please read what Nadine texts Uribe?

24 A. "1548."

25 MR. MONTELEONI: Mr. Hamill, could you please put up



O65Wmen4

Graves - Direct

1 what's in evidence as GX 6A-114 and expand the top half of the  
2 page.

3 Q. First, under the financially liable party section, can you  
4 please read what's after name?

5 A. The name?

6 Q. Yes.

7 A. "Nadine Arslanian."

8 Q. Directing your attention about a third of the way down the  
9 page, on the right, under the photo ID state line, to the line  
10 that says on the right SSN/taxID/FEIN, and then after the  
11 redaction mark, can you please read the last four digits there?

12 A. "1548."

13 Q. How do those compare with the four digits that Nadine  
14 texted to Uribe at 10:31 p.m.?

15 A. They're the same.

16 MR. MONTELEONI: Let's go back to the timeline.

17 Mr. Hamill, please take us back to Government Exhibit  
18 1303 at page 42.

19 Q. Directing your attention to line 791, the 10:37 p.m., May  
20 3, 2019, entry, please read the detail cell.

21 A. "Creation time of photograph of Robert Menendez, Nadine  
22 Arslanian and José Uribe at restaurant on second Nadine  
23 Menendez cell phone."

24 MR. MONTELEONI: Let's look at this picture.

25 Mr. Hamill, could you please put up Government Exhibit

O65Wmen4

Graves - Direct

1 B209-G.

2 Q. You testified that this picture was created at 10:37 p.m.  
3 How long is that after the 10:31 p.m. time that Nadine texted  
4 Uribe the four digits 1548, according to the chart?

5 A. A few minutes after.

6 Q. About how close are the people in this photograph seated  
7 next to each other in the picture?

8 A. Sitting next to each other, close to each other.

9 MR. MONTELEONI: Let's return to the timeline.

10 Mr. Hamill, coupe put back up Government Exhibit 1303,  
11 page 43.

12 Q. Directing your attention to line 802, at 6:02 p.m. the next  
13 day, May 4, 2019, can you please read what Nadine texts to  
14 Uribe?

15 A. "Thank you for last night. It was fun."

16 Q. Directing your attention to line 803, listed as 6:21 p.m.,  
17 can you please read Uribe's response?

18 A. "Yes, dear. Thank you. Please help me close all this  
19 things. I didn't want to say anything last night."

20 Q. Directing your attention to lines 804 and 805, on May 4,  
21 2019, at 10:29 and 10:31 p.m., please read what Uribe texts to  
22 Fernando Barruos on those lines, in order?

23 A. "It's a little late. The number is 1548.

24 "Please try to make the payment."

25 Q. Directing your attention to the next lines, lines 806 and

O65Wmen4

Graves - Direct

1 807, please read Barruos's responses at 10:31 and 10:32 p.m.,  
2 in order?

3 A. "OK.

4 "Give me a couple of minutes. I have a truck with  
5 problems and it's loaded."

6 Q. Skipping a line, to line 809, directing your attention to  
7 11:27 p.m. on May 4, 2019, please read the translation of what  
8 Uribe writes to Barruos.

9 A. "Did it get complicated."

10 Q. Directing your attention to the next line, line 810, also  
11 at 11:27 p.m., can you please read Barruos's response?

12 A. "Give me two minutes."

13 Q. Directing your attention to line 811, 11:28 p.m., could you  
14 please read Uribe's reply?

15 A. "If things are getting complicated for you I'll give mine  
16 and may God protect us."

17 Q. Directing your attention to line 814 at -- sorry, line 812,  
18 at 11:40 p.m., please read what Barruos writes to Uribe.

19 A. "No."

20 Q. Directing your attention to line 814, at 11:41 p.m., who  
21 does Uribe call?

22 A. Fernando Barruos.

23 Q. How long does that call last?

24 A. 52 minutes, 14 seconds.

25 Q. Directing your attention to the next two lines, at 11:50

O65Wmen4

Graves - Direct

1 p.m., please read what Barruos texts to Uribe.

2 A. "Confirmation number 2078665.

3 "\$906."

4 MR. MONTELEONI: Mr. Hamill, please put up Government  
5 Exhibit 1439.

6 I'll now read paragraphs 1 and 1a from Government  
7 Exhibit 1439; I'll read from those paragraphs:

8 "If called as a witness at trial, a representative of  
9 Mercedes-Benz Financial Services USA LLC ('Mercedes-Benz  
10 Financial Services') would testify that the documents marked  
11 for identification as Government Exhibits 7F-1 through 7F-7,"  
12 and others, "are true and accurate copies of records of  
13 Mercedes-Benz Financial Services and are business records" --

14 I won't read the rest of the paragraph.

15 Mr. Hamill, could you please put up what's in evidence  
16 as Government Exhibit 7F-7 and highlight the last line.

17 Q. Directing your attention to columns E and F, whose name is  
18 there?

19 A. Nadine Arslanian.

20 Q. Directing your attention to the first column with the  
21 header payment ID, can you please read the value in the last  
22 row?

23 A. "2078665."

24 MR. MONTELEONI: Mr. Hamill, can you please take us to  
25 column K.

O65Wmen4

Graves - Direct

1 Q. Special Agent Graves, I'm not going to ask you to read the  
2 whole number in the debit-account column, but can you please  
3 read the last four digits of the value in the last row?

4 A. "1749."

5 MR. MONTELEONI: And now, Mr. Hamill, could you please  
6 take us to columns S, T and U.

7 Q. Special Agent Graves, what's the value in the  
8 payment-amount column, column S, for the last row?

9 A. \$891.26.

10 Q. What's the value in the fee-amount column, column U, for  
11 the last row?

12 A. \$15.

13 Q. What is \$891.26 plus \$15?

14 A. \$906.26.

15 MR. MONTELEONI: Mr. Hamill, let's take us to column  
16 W -- well, you can see column W.

17 Q. Directing your attention to column W, Special Agent Graves,  
18 you testified that these texts we were just looking at between  
19 Uribe and Barruos were near midnight on May 4, 2019. Can you  
20 please read the numbers in the payment-actuated-date column in  
21 the last row, but you can stop after you get past the first  
22 numbers connected with hyphens?

23 A. 2019, 5/5.

24 Q. I'm not going to go through each of the rows in as much  
25 detail, but does this chart reflect rows with dates apparently

O65Wmen4

Graves - Direct

1 in June, July, August, September and October 2019 --

2 A. Yes.

3 Q. -- in addition to the May 2019 date in the last row we've  
4 been looking at?

5 A. Yes, it does.

6 Q. Now, are these dates in reverse chronological order as you  
7 see them here?

8 A. Yes, they are.

9 MR. MONTELEONI: Mr. Hamill, could you please take us  
10 to column K.

11 Q. Special Agent Graves, directing your attention to the  
12 bottom three rows in the debit-account column corresponding to  
13 May, June and July for the date column, do they all list the  
14 same account number ending in 1749?

15 A. Yes, they do.

16 Q. Directing your attention to the top three rows  
17 corresponding to August, September and October, do those three  
18 rows all list the same account number as one another?

19 A. Yes, they do.

20 Q. What four digits does that account number corresponding  
21 with the August, September and October rows end with?

22 A. 1946.

23 MR. MONTELEONI: Mr. Hamill, could you please put up  
24 what's in evidence as Government Exhibit 5F-1902 and take us to  
25 page 75.

O65Wmen4

Graves - Direct

1 Q. Special Agent Graves, directing your attention to the upper  
2 left corner, can you please read the line under the logo?

3 A. "J.P. Morgan Chase Bank N.A."

4 Q. A few lines down on the left, can you please read the name  
5 and address listed starting with Barruos?

6 A. "Barruos Trucking LLC, 2165 Bolton Street, apartment 5C,  
7 Bronx, New York 10462-1305."

8 Q. Directing your attention to the upper right corner, can you  
9 please read the date range starting with May 01?

10 A. "May 01, 2019, through May 31, 2019."

11 MR. MONTELEONI: Mr. Hamill, could you please take us  
12 to page 77 and expand the top quarter of the page.

13 Q. Special Agent Graves, directing your attention under the  
14 ATM & debit card withdrawals heading to the fifth line down,  
15 could you please read the description line, in the fifth line  
16 down from card purchase to 1749?

17 A. "Card purchase 05/05 Mb Fin Svcs 800654-6222 MI card 1749."

18 Q. You just read the description field ended with card 1749.  
19 How does 1749 compare to those last four digits that you just  
20 read from the debit-account column of that Mercedes-Benz  
21 Financial Services spreadsheet we were just looking at?

22 A. It's the same.

23 Q. Directing your attention to the amount column, can you  
24 please read the amount column from that row?

25 A. "\$906.26."

O65Wmen4

Graves - Direct

1 Q. How does that amount compare to the sum of the payment  
2 amount and the fee amount columns that you added up from the  
3 Mercedes-Benz Financial Services spreadsheet?

4 A. It's the same.

5 MR. MONTELEONI: Let's return to the timeline.

6 Mr. Hamill, could you please put back up page 44 of  
7 Government Exhibit 1303.

8 Q. Directing your attention to line 838, on May 25 now of  
9 2019, at 10:41 a.m., can you please read what Nadine texts to  
10 Uribe?

11 A. "Is there any way you can email me or text me my friends  
12 info. I know tomorrow is Sunday and family day unless you have  
13 some time late afternoon tomorrow ten minutes I can pick it up  
14 from you sometime."

15 Q. Directing your attention to the next line, can you please  
16 read Uribe's response?

17 A. "Wael said you know about it. I have to straight  
18 everything. It's a long weekend and your friend has to go back  
19 next week. Enjoy it."

20 Q. Directing your attention to line 840, can you please read  
21 the first two paragraphs of what Nadine writes to Uribe at  
22 what's listed as 11 a.m. on May 25, 2019?

23 A. "Wael never said one word about anything or has not brought  
24 up -- has not brought you up one time the time we were in D.C.  
25 I will ask him face to face for the info if he says he told me



O65Wmen4

Graves - Direct

1 about it, which he never did. He has to have it. I would like  
2 this issue to be resolved as soon as possible."

3 Q. Could you please read the last paragraph of this text?

4 A. "Last night I saw a mutual friend who asked me for some  
5 info and I said I still have not gotten it. I will ask Wael  
6 personally for it. It has been on my mind every single day and  
7 night since you mentioned it why would I have it resolved --  
8 why -- sorry. Let me go back -- "since you mentioned it why  
9 would I not have it resolved after you being such an amazing  
10 brother does not make sense. But I will get it. Have a great  
11 weekend. Enjoy the kids."

12 Q. Directing your attention down to line 842, on June 4, 2019,  
13 at 12:10 a.m., can you please read the description of what  
14 Uribe texts Barruos?

15 A. "1548."

16 Q. And can you please read the description of what's attached?

17 A. "Attaching same picture of 5/4/2019 Mercedes-Benz Financial  
18 Services invoice to Nadine Arslanian."

19 Q. I'm not going to ask you to read the, read all the next  
20 texts between Uribe and Barruos, but directing your attention  
21 to lines 845 and 846, can you please read what Barruos texts  
22 there?

23 A. "Confirmation number 2107430.

24 "\$906.26."

25 MR. MONTELEONI: Let's go to page 44, Mr. Hamill.

O65Wmen4

Graves - Direct

1 Thank you. One -- we're on page 44. Sorry.

2 Q. Directing your attention to line 848, at 12:47 p.m. on June  
3 5, 2019, please read what Nadine texts to Andre Arslanian.

4 A. "The car is ours. It's been bought. It's been financed  
5 one down three to go."

6 Q. Does it say it's been financed or it's being financed?

7 A. It's being financed.

8 Q. Directing your attention to the next line, line 849, please  
9 read Andre Arslanian's response?

10 A. "I would be happy to see the house. Let me ask Jordan  
11 before I confirm anything. And it's being financed by that  
12 guy?"

13 Q. Directing your attention to the next line, line 850, please  
14 read Nadine's reply at 12:49 p.m.

15 A. "Yes."

16 Q. Two lines down, on line 852, please read what else Nadine  
17 texts to Andre Arslanian at 12:49 p.m.?

18 A. "I will tell you more when I see you we will catch up."

19 Q. On line 854, 7:26 a.m., on June 7, 2019, can you please  
20 read what Nadine texts Uribe?

21 A. "Good morning. 7:30 p.m. Waterside? He suggested San  
22 Cubano or Waterside, but I think San Cubano will be too loud to  
23 talk. He just told me he will probably finish his day around  
24 6:30 today."

25 MR. MONTELEONI: Mr. Hamill, could you please take us

O65Wmen4

Graves - Direct

1 to page 45.

2 Q. Directing your attention to line 856, at 1:08 p.m. on June  
3 7, 2019, who does Nadine text?

4 A. Robert Menendez.

5 Q. Can you please read what Nadine texts to Menendez?

6 A. "OK. I told José 7:30 Waterside. He said OK."

7 Q. Skipping down a few lines, directing your attention to line  
8 866, at 6:46 p.m. on June 7, 2019, can you please read what  
9 Menendez texts Nadine?

10 A. "OK" -- can I zoom in? I don't know if it's OK exclamation  
11 or OK I.

12 MR. MONTELEONI: Mr. Hamill, if you could expand that  
13 text.

14 THE WITNESS: Thank you.

15 A. "OK I would tell José will be more like force -- will be  
16 more like 7:45."

17 Q. Directing your attention down to line 868, two lines down,  
18 can you please read what Nadine texts to Menendez at 6:52 p.m.?

19 A. "Since you know the owner can you get a table outside  
20 please? It will be easier to talk I think."

21 Q. Directing your attention to line 870, two lines down, at  
22 7:22 p.m., please read what Uribe texts to Nadine.

23 A. "I am here."

24 Q. Directing your attention a few more lines down, to line  
25 874, 7:28 p.m., can you please read what Nadine writes to

O65Wmen4

Graves - Direct

1 Uribe?

2 A. "I am so sorry this is the schedule with him it's always  
3 somebody running late and extra speech an extra person an extra  
4 picture but we should be there within 10 minutes. Please order  
5 something."

6 Q. Directing your attention to the next two lines, 875 and  
7 876, can you please read Uribe's messages to Nadine at 7:28 and  
8 7:29 p.m., in order?

9 A. "OK. I be here.

10 "I wait for you. It's all good."

11 MR. MONTELEONI: Mr. Hamill, can you please put up  
12 page 46.

13 Q. Directing your attention to line --

14 All right. Directing your attention to line 887, on June  
15 16, 2019, at 4:49 p.m., please read what Ana Peguero texts to  
16 Uribe?

17 A. "Happy Father's Day. Thank you for everything you do for  
18 us." Heart emoji.

19 Q. Directing your attention to the next line, line 888, can  
20 you please read Uribe's response to Ana Peguero at 4:56 p.m.?

21 A. "Thank you Negra. Thank you for standing by me. God  
22 willing things will be better and we all going to be fine."

23 MR. MONTELEONI: Mr. Hamill, could you please take us  
24 to page 47.

25 Q. Directing your attention to line 891, on June 22, 2019, at

O65Wmen4

Graves - Direct

1 2:40 p.m., please read what Nadine texts Uribe.

2 A. "You have done so much for me. I will never ever forget  
3 it. That's why it's important for me to meet for 15 minutes  
4 Monday evening I have to resolve part two of a problem. I hope  
5 you know I will never have to repeat it the stands always it's  
6 not just part two but for a lifetime I will never ever forget  
7 what kind of true person and friend you are."

8 Q. When Nadine sends this message saying I'll never ever  
9 forget what kind of true person and friend you are, about how  
10 long is that after Uribe created a contact for her in his phone  
11 on March 12, 2019?

12 A. A few months later.

13 Q. Directing your attention to line 892, on July 5, 2019, at  
14 2:20 p.m., what does Uribe send Fernando Barruos?

15 A. Text message.

16 Q. What's in the text message?

17 A. The body or the description? Both?

18 Q. Both.

19 A. "1548. Attaching picture of the 5/4, 2019 invoice from  
20 Mercedes-Benz Financial Services to Nadine Arslanian."

21 Q. All right. Now let's look at line 901. Can you please  
22 read the date?

23 A. July 29, 2019.

24 Q. Who emails Andy Aslanian on July 29, 2019?

25 A. Det. Lopez.

O65Wmen4

Graves - Direct

1 MR. MONTELEONI: Let's take a look.

2 Mr. Hamill, please put up what's in evidence as  
3 Government Exhibit E401 and take us to page 2.

4 Q. Special Agent Graves, who is this email from?

5 A. Suzanna Lopez.

6 Q. And can you please read the email address for Suzanna Lopez  
7 as displayed in this email?

8 A. Lopez@s njdcj.org.

9 Q. Please read the subject line at the top of the page.

10 A. "Meeting with client."

11 Q. Please read the body of the email.

12 A. "Andy, hope all is well and that you find yourself in  
13 better health. Our office was wondering if we could arrange a  
14 time to meet with your client Ana Peguero. I have cc'd our  
15 deputy attorney general if you would like to speak to him  
16 directly. Please let us know your availability at your  
17 earliest convenience."

18 MR. MONTELEONI: Mr. Hamill, could you please put back  
19 up Government Exhibit 1303 and take us to page 47.

20 Q. Directing your attention, Special Agent Graves, to line  
21 902, also on July 29, 2019, what does the chart reflect that  
22 Andy Aslanian does?

23 A. Forwards it to José Uribe.

24 Q. Directing your attention to line 903, the next day, July  
25 30, 2019, can you please read what Nadine writes to Uribe at

O65Wmen4

Graves - Direct

1 12:08 p.m.?

2 A. "Good morning. I'm free today and tomorrow."

3 Q. Directing your attention to the next line, line 904, can  
4 you please read Uribe's response?

5 A. "Let's try tomorrow."

6 Q. And skipping the next few messages that are listed as being  
7 between Uribe and Nadine, directing your attention down to line  
8 908, at 2:04 p.m. on July 30, 2019, can you please read what  
9 Uribe texts to Andy Aslanian?

10 A. "Please do not fax anything. I don't want -- I don't want  
11 to harm my Ana."

12 Q. Directing your attention a few lines later, to line 912, at  
13 2:32 p.m., how long does Nadine's call to José Uribe last?

14 A. 23 minutes, 28 seconds.

15 Q. Directing your attention to the next line, line 913, please  
16 read what Nadine texts to Uribe at 3:57 p.m.

17 A. "I am very much looking forward to catching up tomorrow."

18 Q. Directing your attention to line 914, please read what's  
19 listed as Uribe's response at 3:58 p.m.

20 A. "Yes. We go over a few things tomorrow. Will love to see  
21 you."

22 MR. MONTELEONI: Mr. Hamill, could you please take us  
23 to page 48 of Government Exhibit 1303.

24 Q. Directing your attention to July 31, 2019, at 12:46 p.m.,  
25 first, how does the date of this line compare to the date that

O65Wmen4

Graves - Direct

1 Uribe texted Nadine we go over a few things tomorrow that you  
2 just read?

3 A. I'd have to go back and check the line.

4 MR. MONTELEONI: Mr. Hamill, could you please scroll  
5 up.

6 A. It's the following day.

7 MR. MONTELEONI: Now, you can take us to page 48.

8 Thank you.

9 Q. So could you please read, on line 915, what Uribe writes to  
10 Nadine at 12:46 p.m. on July 31?

11 A. "Good morning. Andy don't have time to meet to around  
12 5:30. I will tell him I have to be at meeting around 7. Then  
13 we meet. 7 works for you."

14 Q. Skipping a few lines, to line 919, at 6:42 p.m. on July 31,  
15 2019, could you please read what Nadine writes to Uribe?

16 A. "Still 7 p.m.? If so where?"

17 Q. Directing your attention to the next line, line 920, please  
18 read Uribe's response.

19 A. "I'm leaving in a few. How about Regina's."

20 Q. Two lines down, on line 22, who does Nadine text at 7:14  
21 p.m.?

22 A. Robert Menendez.

23 Q. Can you please read what Nadine texts to Menendez at 7:14  
24 p.m.?

25 A. "I am going to Home Depot, AT&T target and to meet José."



O65Wmen4

Graves - Direct

1 Q. Directing your attention to the next line, line 923, can  
2 you please read Menendez's response?

3 A. "Wow."

4 Q. Directing your attention to line 924, can you please read  
5 what Nadine texts to Uribe at 7:24 p.m.?

6 A. "No rush. I'm here."

7 Q. Directing your attention to the next two lines, lines 925  
8 and 926, please read what Uribe writes to Nadine in those two  
9 7:26 p.m. texts, in order?

10 A. "I will be there in a few."

11 "I got the email."

12 Q. And what did Andy Aslanian forward to Uribe on July 29,  
13 2019, that we just looked at?

14 A. An email from Det. Lopez.

15 Q. Directing your attention to line 927, how does Nadine reply  
16 at 7:26 p.m.?

17 A. "Great."

18 Q. Directing your attention to line 931, first, what is the  
19 date?

20 A. August 1, 2019.

21 Q. How does that date compare to the date on line 925, when  
22 Uribe texts Nadine I will be there in a few?

23 A. The following day.

24 Q. So on line 931, at 9:34 a.m. on August 1, can you please  
25 read what Uribe texts to Nadine?

O65Wmen4

Graves - Direct

1 A. *"Buenos días.* I don't want this people to bother my Ana.  
2 Please help."

3 Q. Directing your attention to the next line, line 932, please  
4 read Nadine's response at 10:08 a.m.

5 A. "I slept two hours yesterday I will address it first thing  
6 tomorrow morning or tonight depending on when he is home no  
7 matter what anybody else says, you have my word. Above  
8 anything else it's my priority to get it done right away."

9 Q. Directing your attention to line 933, can you please read  
10 Uribe's response, also at 10:08 a.m.?

11 A. "Please."

12 Q. Directing your attention to line 934, the next line, can  
13 you please read what Nadine writes to Uribe at 10:13 a.m.?

14 A. "I already made a copy at 8:30 a.m. in the morning for you.  
15 I will not let you down. Other times, friends told you, I  
16 don't follow up and I don't help. I proved them wrong. The  
17 same faith you had in me all the years. Believe it in. You  
18 are family and I have never said that."

19 Q. Directing your attention to line 935, can you please read  
20 Uribe's response?

21 A. At 10:14 a.m.?

22 Q. Yes, exactly. Thank you.

23 A. *"Gracias.* We need to make -- we need to make things go  
24 away. These guys are going to go crazy if anything goes  
25 wrong."

O65Wmen4

Graves - Direct

1 Q. Directing your attention to line 936, who calls Nadine at  
2 11:37 a.m.?

3 A. Robert Menendez.

4 Q. How long does that call last?

5 A. Three minutes, one second.

6 Q. Directing your attention to line 937, at 11:38 a.m., on  
7 August 1, 2019, can you please read the summary here and the  
8 quotation in the summary of what Andy Aslanian emails Det.  
9 Lopez?

10 A. "'As to the meeting with Ana Peguero, I do not know what  
11 this meeting would have reference to.' And "'if this involves  
12 something new, please let me know what it is so I can advise my  
13 client accordingly and set up whatever necessary precautions I  
14 would have to properly protect her interest.'"

15 Q. On line 938, can you please read what Uribe writes to  
16 Nadine at 12:03 p.m.

17 A. "Andy already answer to that woman. Shit. We need to move  
18 fast."

19 Q. When Uribe wrote Andy already answer to that woman, how  
20 long was it after Andy Aslanian had emailed Det. Lopez in the  
21 email you read the quotations from?

22 A. Approximately 20 minutes.

23 Q. On line 939, please read what Nadine writes at 12:23 p.m.  
24 after receiving Uribe's text.

25 A. "I called Bob he is still in the hospital in DC he had to

O65Wmen4

Graves - Direct

1 have some tests done and an MRI. He will be home first thing  
2 tomorrow. I will address it first thing tomorrow and have the  
3 phone calls go out."

4 Q. Directing your attention to line 940, at 12:29 p.m., how  
5 long does Uribe respond after Nadine's text?

6 A. A few minutes after.

7 Q. Can you please read Uribe's response to Nadine?

8 A. "I called Andy at 11 a.m. And he already send email asking  
9 what do they want. We still can stop this. Thank you."

10 Q. Directing your attention to line 941, who does Uribe text?

11 A. Wael Hana.

12 Q. Please read what Uribe texts Hana at 12:33 p.m.

13 A. "Call me ASAP."

14 Q. Directing your attention to line 942, the next line, please  
15 read Hana's response at 12:40?

16 A. "What's up in meeting."

17 Q. Directing your attention to line 943, what does Uribe reply  
18 at 12:42 p.m.?

19 A. "Problems."

20 MR. MONTELEONI: Please take us to page 49, Government  
21 Exhibit 1303.

22 Q. Directing your attention to line 947, can you please read  
23 what Nadine texts to Menendez at 5:30 p.m.?

24 A. "*Mon amour*, I am very happy having dinner just you and I  
25 alone. I will call you after I am done here. We have an

O65Wmen4

Graves - Direct

1 entire month to see other people."

2 Q. Directing your attention to line 948, can you please read  
3 what Nadine texts Menendez at 5:59 p.m.?

4 A. "I'm still waiting."

5 Q. On line 950, two lines down, can you please read what  
6 Nadine texts Menendez at 6:02 p.m. -- sorry, at -- yes, 6:02  
7 p.m.?

8 A. "For Andy. He had landing delay. He said three minute  
9 away. Can't wait to hear what the news is."

10 Q. Directing your attention to the next line, line 951, what  
11 time does Nadine text Menendez on this line?

12 A. 7:52 p.m.

13 Q. Please read what Nadine texts Menendez.

14 A. "No rush. I'm on lobby level." Emojis.

15 Q. Directing your attention to line 952, please read  
16 Menendez's response at 7:53 p.m.

17 A. "OK coming down."

18 Q. Directing your attention to line 953, whose search history  
19 is this?

20 A. Robert Menendez.

21 Q. Please read the quotation from Robert Menendez's search  
22 history.

23 A. "NJDCJ."

24 MR. MONTELEONI: Mr. Hamill, can you please put back  
25 up to one side Government Exhibit E401, and take us to page 2.

O65Wmen4

Graves - Direct

1 Q. Special Agent Graves, could you please read the last part  
2 of Det. Lopez's email address after the at sign?

3 A. NJDCJ.org.

4 Q. Leaving aside the dot-org, how does that portion of Det.  
5 Lopez's email address compare to the search term that appears  
6 in Menendez's search history at 8:51 p.m.?

7 A. It's the same.

8 MR. MONTELEONI: You can take down Government Exhibit  
9 E401, Mr. Hamill.

10 Thank you.

11 Q. Directing your attention, Special Agent Graves, to line 953  
12 that we've been looking at, how long is this 8:51 p.m. search  
13 in Menendez's search history after Menendez texted Nadine OK  
14 coming down?

15 A. Approximately an hour after.

16 Q. Directing your attention to the next line, line 954, on  
17 August 1, 2019, at 9:52 p.m., who does Nadine call?

18 A. José Uribe.

19 Q. For how long?

20 A. One minute, 35 seconds.

21 Q. How long is that call after Menendez searched for NJDCJ,  
22 according to the chart?

23 A. Approximately an hour later.

24 Q. Directing your attention to line 955, approximately how  
25 long does Uribe send this text to Nadine after the call from

O65Wmen4

Graves - Direct

1 Nadine that we just looked at?

2 A. A few minutes after.

3 Q. Please read Uribe's text to Nadine at 9:57 p.m.

4 A. "Thank you. Very nice of you guys. G night."

5 MR. MONTELEONI: Your Honor, is this a good time for  
6 the afternoon break?

7 THE COURT: No. Continue.

8 BY MR. MONTELEONI:

9 Q. Directing your attention to line 956, the next day, on  
10 August 2, 2019, can you please read what Uribe texts Nadine at  
11 1:28 p.m.?

12 A. "Good and blessed day. Call me when you have an update. I  
13 don't want to bother you."

14 Q. Directing your attention to the next line, line 957, please  
15 read Nadine's response at 1:49 p.m.

16 A. "I will. If he finishes early tonight. Let's meet. He is  
17 here all week so far."

18 Q. Two lines down, line 959, at 1:59 p.m. on August 3, 2019,  
19 can you please read the translation of what Uribe texts to  
20 Barruos?

21 A. "The same song and dance every day. Please pay for the  
22 woman's car."

23 Q. Directing your attention to line 962, on August 5, 2019, at  
24 12:54 p.m., can you please read what Uribe texts to Nadine?

25 A. "*Hermana*, do you know when we -- do you know when we

O65Wmen4

Graves - Direct

1 getting together I really hate to bother you both. You have a  
2 million things to do."

3 Q. Directing your attention to line 963, please read the first  
4 paragraph of Nadine's response at 1:04 p.m. up to try  
5 definitely for tomorrow night?

6 A. "Good morning. I was thinking about you yesterday and  
7 today Friday night is the only night I saw him. He had to go  
8 down to Texas with a few senators for the border. And  
9 yesterday he had an emergency with his son. Today he has five  
10 events in south Jersey. Will be home by 10 p.m. I already  
11 left him a message this morning not knowing he had five events  
12 today. I will try definitely for tomorrow night."

13 (Continued on next page)

14  
15  
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25



O655men5

Graves - Direct

1 BY MR. MONTELEONI: (Continuing)

2 Q. Can you please read the next sentence of the text from we  
3 spoke to both together?

4 A. "We spoke about it Friday night and early this morning. He  
5 said it would have been so, so easy if we had wrapped both  
6 together."

7 Q. Please read the rest of the text?

8 A. "Will you be available around 9:00 p.m. tomorrow? I know  
9 he had a 7:00 p.m. meeting. He he should be done by 9:00 p.m."

10 MR. MONTELEONI: Mr. Hamill, can you please take us to  
11 page 50?

12 Q. Special Agent Graves, directing your attention to line 965,  
13 at 1:08 p.m. on August 5, 2019, can you please read what Uribe  
14 texts to Nadine?

15 A. "Perfect. I will clear tomorrow night. I really  
16 appreciate everything you do me. We going to be a good  
17 peaceful family for a long time."

18 Q. Directing your attention to line 966, 4:50 a.m. on  
19 August 6, 2019, can you please read Nadine's response as listed  
20 here?

21 A. "Yes, we are. I just saw your text. I have been up for  
22 the last two hours thinking of how much harm one man can  
23 knowingly and willingly cause with not two thoughts about the  
24 result, or the families he is hurting. My priority is  
25 tomorrow."

O655men5

Graves - Direct

1 Q. Directing your attention to the next line at 9:04 a.m. on  
2 August 6, 2019, can you please read what Uribe texts to Nadine?

3 A. "Good morning. Please work on this. I don't want this  
4 people to hurt my daughter."

5 Q. Can you please read Nadine's response at 12:49 p.m. on line  
6 968?

7 A. "Can you please get whatever information Andy has before  
8 tonight?"

9 Q. Directing your attention to 8:16 p.m. on line 969, can you  
10 please read what Uribe texts to Nadine?

11 A. "Hello. Are we good to 9:30 p.m."?

12 Q. Directing your attention to the next line, line 970, what  
13 time does Nadine send this text on line 970?

14 A. 10:20 p.m.

15 Q. How does that compare to the 9:30 p.m. time that Uribe just  
16 asked about?

17 A. It is approximately an hour later.

18 Q. Can you please read what Nadine texts at 10:20, and then  
19 10:28 and 10:32 p.m. in order? That's line 971 through 973, in  
20 order?

21 A. "He just got out. Come over. 42 Jane Drive, Englewood  
22 Cliffs, NJ, 41 Jane. He is two min away and said have Jose  
23 come over."

24 Q. Directing your attention to line 973, the next morning, can  
25 you please read what Uribe texts Nadine at 6:45 a.m.?

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Graves - Direct

1 A. "Good morning. I came home like around noon, 9:30 to eat.  
2 My sister send me some food. I passed out after that. I am so  
3 sorry. I was tired."

4 Q. Please read on line 974 Uribe's next message at 12:27 p.m.?

5 A. "Are you mad at me?"

6 Q. Directing your attention to the next lines, lines 975 and  
7 976, can you please read Nadine's text to Uribe at 1:14 and  
8 1:15 p.m., in order?

9 A. "Never. Of course not. I could never be upset with you.  
10 When I find out his schedule, I will let you know for at any  
11 time."

12 Q. Directing your attention to line 981, at 5:14 p.m. on  
13 August 7, 2019, what does Nadine text Uribe?

14 A. A screenshot of Google search results from Il Vilaggio  
15 Restaurant.

16 Q. Line 982, can you please read what Nadine tests Uribe at  
17 5:15 p.m. on August 7th, 2019?

18 A. "See you at 8:00 p.m."

19 MR. MONTELEONI: Mr. Hamill, can you take us to page  
20 51?

21 Q. Directing your attention to line 984, who does Nadine text?

22 A. Robert Menendez.

23 Q. Can you please read what she texts him?

24 A. "Il Vilaggio, 8:00 p.m".

25 THE COURT: Why don't you find a logical time.

O655men5

Graves - Direct

1 MR. MONTELEONI: All right. Just a couple more  
2 questions.

3 Q. Directing your attention to line 987, at 7:25 p.m. on  
4 August 7, 2019, would you please read what Menendez texts to  
5 Nadine?

6 A. *"Mon amour. I should be by you at 7:35."*

7 Q. Two lines down at line 989, can you please read what Nadine  
8 texts to Uribe?

9 A. We are in the back corner table.

10 MR. MONTELEONI: That is a good time for a break.

11 THE COURT: Yes.

12 All right, ladies and gentlemen. Let's take a break.  
13 We will come back at 5 of 4:00 and we will do an hour more of  
14 testimony today. Thank you.

15 (Jury not present)

16 THE COURT: You may step down, Agent.

17 (Witness steps down)

18 THE COURT: 10 minutes.

19 (Recess)

20 THE COURT: Jury entering.

21 (Jury present)

22 THE COURT: You may be seated in the courtroom.

23 Mr. Monteleoni, one hour. Proceed.

24 MR. MONTELEONI: Thank you.

25 Mr. Hamill, please take us to Government Exhibit 1303,

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Graves - Direct

1 and take us to page 51?

2 BY MR. MONTELEONI:

3 Q. Now, directing your attention to line 993 on August 9 of  
4 2019 at 7:44 p.m., can you please read what Uribe texts Nadine?

5 A. "You will never regret help me."

6 Q. Can you please read Nadine's response on line 994 at  
7 9:57 p.m.?

8 A. "That I'm 100 percent sure of."

9 Q. Direct your attention to line 996 now on August 16, 2019,  
10 the first 12:29 p.m. line, can you please read the translation  
11 of what Uribe texts to Barruos?

12 A. "Did you make the car payment last month?"

13 Q. Two lines down, can you read Barruos' response at  
14 12:29 p.m.?

15 A. "Shit. I didn't think so. I didn't think so. Let me  
16 check." Sorry. "Shit, I don't think so. Let me check."

17 Q. Directing your attention to the last next two lines, lines  
18 999 and 1000, can you please read what Uribe texted to Barruos  
19 at 12:31 p.m. on those two lines in order?

20 A. "I just got a call from the cousin. Shit."

21 Q. Directing your attention to the next line, can you please  
22 read the translation of what Uribe texted to Barruos?

23 A. At 12:33 p.m.?

24 Q. Yes.

25 A. "Use this card, please. It's the month of July."

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Graves - Direct

1 Q. And what does Uribe attach to the text?

2 A. Photos of the front and back of a TD Bank card. Would you  
3 like me to read the number?

4 Q. No. Let's just take a look at one of those photos?

5 MR. MONTELEONI: Mr. Hamill, can you please put up  
6 Government Exhibit E108-A.

7 Q. Directing your attention to the top right corner of this  
8 card, can you please read the two words printed there?

9 A. "Business debit."

10 Q. Directing your attention to the lower left corner, can you  
11 please read the line of raised letters starting "Frank"?

12 A. "Frank and Son Logist."

13 Q. Can you please read the next line of raised letters under  
14 "Frank and Son Logist"?

15 A. "José D Uribe."

16 Q. Now, you previously read the three entries in that  
17 Mercedes Benz financial services spreadsheet reflected payments  
18 in August, September and October, associated with an account  
19 number in 1945. In preparing to testify, have you compared the  
20 full account number in the spreadsheet with the number of this  
21 card, prior to testifying?

22 A. Yes, I did.

23 Q. How did they compare?

24 A. They are the same.

25 Q. Was it 1945 or 1946?

O655men5

Graves - Direct

1 A. 1946.

2 Q. Let's go back to the chart.

3 MR. MONTELEONI: Mr. Hamill, can you please put back  
4 up Government Exhibit 1303 and take this to page 51?

5 Q. Directing your attention now to line 1017, can you please  
6 read the date on line 1017?

7 A. September 3, 2019.

8 Q. Can you please read, what on this line, Uribe texts Nadine  
9 at 7:34 p.m. on September 3, 2019?

10 A. "Hola. Please don't forget about me. I will never forget  
11 about you."

12 Q. Directing your attention to the next line, line 1018, can  
13 you please read what Nadine texts Uribe at 9:45 p.m. on that  
14 line?

15 A. "You have been the main concern for the past three days.  
16 Without me bringing you up."

17 MR. MONTELEONI: Mr. Hamill, can you please scroll  
18 down to show the top of page 52, bottom of page 51?

19 Q. Directing your attention to line 1019, Special Agent  
20 Graves, can you please read what Nadine texts Uribe, also at  
21 9:45 p.m.?

22 A. "You will never be forgotten. That's a promise."

23 Q. Directing your attention to line 1020 at 10:17 p.m., can  
24 you please read Uribe's reply?

25 A. "I need peace."

O655men5

Graves - Direct

1 Q. Directing your attention to line 1021 on September 4,  
2 2019 --

3 If you could keep us straddling bottom of page 51, top  
4 of page 52, Mr. Hamill?

5 Directing your attention to line 1021 at 1:26 p.m. on  
6 September 4, 2019, who does Robert Menendez call?

7 A. Gurbir Grewal.

8 Q. How long does Menendez' call to Gurbir Grewal last?

9 A. One minute, 45 seconds.

10 Q. About how long is this call after Uribe texted "please  
11 don't forget about me, I will never forget about you," to  
12 Nadine on the evening of September 3?

13 A. It is the following afternoon.

14 Q. Directing your attention to line 1024, at 10:36 a.m. on  
15 September 5, 2019, who does Uribe call?

16 A. Nadine Arslanian.

17 Q. For how long?

18 A. Four minutes, 21 seconds.

19 Q. Directing your attention a few lines down to line 1030 to  
20 12:03 p.m. on September 5, 2019, who does Nadine call?

21 A. Robert Menendez.

22 Q. For how long?

23 A. 32 seconds.

24 Q. Directing your attention to line 1032 --

25 MR. MONTELEONI: You can scroll down a little bit



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Graves - Direct

1 more, Mr. Hamill, thank you. You can show us the whole page 52  
2 at this point, Mr. Hamill. Thank you.

3 Q. Directing your attention to line 1032, the first 7:50 p.m.  
4 line, can you please read what Nadine writes to Uribe?

5 A. "He says at my house."

6 Q. How long is this text message "he says at my house" after  
7 the call between Nadine and Menendez that we looked at two  
8 lines up?

9 A. Later that evening.

10 Q. Directing your attention to line 1034 -- 1033 actually,  
11 first, also at 7:50 p.m., can you please read Uribe's response?

12 A. "What address?"

13 Q. Directing your attention to the next line, line 1034, what  
14 does Uribe text to Nadine?

15 A. "Are we eating? I am at my office. Let me know what time  
16 is good."

17 Q. Directing your attention to the next line, line 1035 at  
18 8:38 p.m., can you please read Nadine's response?

19 A. "No, we will have cigars and I have grand mariner, but no  
20 beer. 41 Jane Drive, Englewood Cliffs. I will text you when  
21 we are on our way. Should be by 9:30 p.m. Thank you for  
22 making it."

23 Q. At the bottom of the page, line 1040, directing your  
24 attention to 10:16 p.m., can you please read what Uribe texts  
25 to Nadine?

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Graves - Direct

1 A. I am here.

2 MR. MONTELEONI: Mr. Hamill, can you please scroll us  
3 down to the bottom of page 52, top of page 53?

4 Q. So, directing your attention, Special Agent Graves, to line  
5 1041 at 11:57 a.m. on September 6, 2019, can you please read  
6 what Uribe texts to Nadine?

7 A. "Morning. Thank you for everything you do for me. I am  
8 praying -- [emoji] -- today's meeting is in God's hand."

9 Q. Directing your attention to line 1042, the next entry, what  
10 is the date and time of that entry?

11 A. September 6, 2019, 12:00 p.m.

12 Q. Can you please read the details cell?

13 A. Scheduled time of meeting between Gurbir Grewal and Robert  
14 Menendez at 1 Gateway Center, no. 1100, Newark, New Jersey,  
15 listing Andrew Bruck as required attendee.

16 MR. MONTELEONI: Let's look, Mr. Hamill, can you  
17 please put up what is in evidence as Government Exhibit 8C-1?

18 Q. Special Agent Graves, directing your attention to the top  
19 left, can you please read the date on this calendar?

20 A. September 6, 2019.

21 Q. Directing your attention to the entry for 12:00 p.m., can  
22 you please read the bolded top line?

23 A. "Meet with Senator Menendez."

24 Q. Can you please read the address?

25 A. "1 Gateway Center, no. 1100, Newark, New Jersey,

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1 973-645-3030, Gurbir Grewal."

2 MR. MONTELEONI: Can you please take us to page 2,  
3 Mr. Hamill?

4 Q. Directing your attention to the second to last line, can  
5 you please read the required attendees?

6 A. Andrew Bruck.

7 Q. Can you please read the last line?

8 A. Categories: Important.

9 MR. MONTELEONI: Mr. Hamill, can you please put up  
10 Government Exhibit 3A-9?

11 Q. Special Agent Graves, directing your attention to the top  
12 center, can you please read the bolded line?

13 A. Report for Senator Robert Menendez.

14 Q. Now, you just read a calendar entry for September 6, 2019.  
15 First I want to ask you to look at September 4, 2019, on this  
16 report for Senator Menendez. Directing your attention to the  
17 top of the page to September 4, 2019, can you please read the  
18 words under the bolded heading?

19 A. Senate recess.

20 Q. Can you please read the next line starting with 10:15a?

21 A. Mike to drive.

22 Q. I'm not going to ask you to read them all, but are there  
23 other events listed?

24 A. Yes, there are.

25 Q. Directing your attention to the 12:30 p.m. entry, can you

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Graves - Direct

1 read the all caps line for the top of that entry?

2 A. Newark meeting with Tonio Burgos and members of the New  
3 Jersey Hotel Trades Council.

4 MR. MONTELEONI: Now, Mr. Hamill, can you please  
5 expand the -- you can keep the whole page as it, Mr. Hamill.  
6 Thank you.

7 Q. So Special Agent Graves, directing your attention to this  
8 September 6, 2019 entry, under the heading, can you please read  
9 the words on the next line?

10 A. Senate recess.

11 Q. And can you please read the next line starting with  
12 1:00 p.m.?

13 A. Mike to drive.

14 Q. Directing your attention to the entry for 1:30 to  
15 1:50 p.m., I'm not going to ask you to read everything there  
16 but is there an interview listed and the staff member listed?

17 A. Yes.

18 Q. Is there anything listed here for 12:00 p.m. on  
19 September 6, 2019?

20 A. No, there is not.

21 Q. You just read that there was a meeting listed with a person  
22 named Tonio Burgos and members of the New Jersey Hotel Trades  
23 Council on September 4, 2019. Is there anything listed here  
24 with the New Jersey attorney general on September 6, 2019?

25 A. No, there is not.

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Graves - Direct

1 Q. Let's go back to the chart.

2 MR. MONTELEONI: Mr. Hamill, can you please put up  
3 Government Exhibit 1303, page 53?

4 Q. Directing your attention to line 1043 at 1:06 p.m. on  
5 September 6, 2019, can you please read what Nadine writes to  
6 Uribe?

7 A. "I didn't sleep one hour. He hasn't been sleeping well at  
8 all for a week. I am praying as hard as you are. I am sure  
9 all will be perfect."

10 Q. Directing your attention to the next line, line 1044, who  
11 calls Nadine at 2:03 p.m.?

12 A. Robert Menendez.

13 Q. How long is that call after the 12:00 p.m. scheduled start  
14 time of the meeting that we saw reflected on the calendar  
15 between Grewal and Menendez?

16 A. Approximately two hours after.

17 Q. How long does Menendez' call to Nadine last?

18 A. 58 seconds.

19 Q. The call starts at about 2:03 p.m. and lasts about 58  
20 seconds. And when does it end?

21 A. Approximately 2:04 p.m.

22 Q. Directing your attention to the next line, who does Nadine  
23 call at 2:04 p.m.?

24 A. José Uribe.

25 Q. How long passes, according to the chart when Nadine gets

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Graves - Direct

1 off the phone with Menendez, when she calls Uribe?

2 A. Moments.

3 Q. How long does Nadine's call to Uribe last?

4 A. One minute, 40 seconds.

5 Q. So if it starts at about 2:04 p.m., about when does it end?

6 A. Approximately 2:06 p.m.

7 Q. Directing your attention to line 1046, who does Nadine call  
8 at 2:06 p.m.?

9 A. Robert Menendez.

10 Q. About how long passes between when she gets off the phone  
11 with Uribe and when she calls Menendez back?

12 A. Moments.

13 Q. How long does Nadine's second call with Menendez last?

14 A. 57 seconds.

15 Q. Directing your attention to line 1047, who does she call at  
16 2:08 p.m.?

17 A. José Uribe.

18 Q. About how long passes between when Nadine gets off the  
19 phone with Menendez a second time when she calls Uribe a second  
20 time?

21 A. Moments. Possibly one minute.

22 Q. Directing your attention to the next line, line 1048, at  
23 2:25 p.m. on September 6, 2019, can you please read what José  
24 Uribe texts to a person identified as Jorge Martinez?

25 A. "Brother, pray for me. On my way to big meeting with the

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1 Amigo."

2 MR. MONTELEONI: Mr. Hamill, can you please put up  
3 Government Exhibit 1430 and take us to page 3?

4 I will now read paragraph 16 of Government Exhibit  
5 1430: The document marked for identification as Government  
6 Exhibit 2A-17 is a true and accurate photograph of Jorge  
7 Martinez.

8 Mr. Richenthal, can you please put up Government  
9 Exhibit 2A-17 on the board, and Mr. Hamill, will you please  
10 publish Government Exhibit 2A-17? Mr. Hamill, would you please  
11 take us to Government Exhibit 1303, page 53?

12 Q. Directing your attention to line 1048, about how long is  
13 this text message saying: "On my way to big meeting with the  
14 Amigo," at 2:25 p.m. after Nadine's second call to Uribe at  
15 2:08 p.m.?

16 A. A few minutes later.

17 Q. Directing your attention to line 1049, can you please read  
18 Jorge Martinez' response also at 2:25 p.m.?

19 A. "Wow. Nice brother. Good luck. [Emojis]"

20 Q. Directing your attention to the next line, can you please  
21 read Uribe's response two minutes later at 2:27 p.m.?

22 A. "He called me to his apartment after meeting with others."

23 Q. Directing your attention to the next line, line 1051, can  
24 you please read Martinez' reply at 2:28 p.m.?

25 A. "Excellent, brother. It looks good. [Emojis]"

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Graves - Direct

1 Q. Directing your attention to the next line, can you please  
2 read what Uribe writes also at 2:28 p.m.?

3 A. I don't know. Hope it's good news.

4 Q. Skipping a few lines down to line 1056 at 2:41 p.m., can  
5 you please read what Nadine texts to Menendez then?

6 A. "You downstairs?"

7 Q. Directing your attention to line 1057, can you please read  
8 what Menendez writes to Nadine at 2:45 p.m.?

9 A. "Done."

10 Q. How long is it that Menendez texted "done" after Uribe  
11 texted Martinez, "On my way to big meeting with the Amigo"?

12 A. 20 minutes after, approximately.

13 Q. Directing your attention to line 1058, the second 2:45 p.m.  
14 entry, can you please read what Uribe texts Martinez at  
15 2:45 p.m.?

16 A. "I think it is a good meeting. No final, but positive."

17 Q. How does the time that Uribe texts Martinez "I think it is  
18 a good meeting, no final but positive," compare to the time  
19 that Menendez texted Nadine, "Done"?

20 A. The same time.

21 Q. Directing your attention a few lines down to line 1062, the  
22 third 2:46 p.m. entry, can you please read what Uribe texts to  
23 Martinez?

24 A. "He feels is very positive."

25 Q. Directing your attention two lines down, the second



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Graves - Direct

1 2:47 p.m. entry, can you please read what Uribe texts Nadine?

2 A. "I am positive."

3 Q. About how long passes between when Uribe texts Martinez "he  
4 feels is very positive" and when Uribe texts Nadine "I am  
5 positive"?

6 A. Approximately one minute.

7 Q. Directing your attention to the last line on this page,  
8 4:28 p.m. on September 6, 2019, can you please read what Uribe  
9 texts to Nadine?

10 A. I forgot to thank you.

11 MR. MONTELEONI: Mr. Hamill, could you please take us  
12 to page 54?

13 Q. Special Agent Graves, directing your attention to line 1069  
14 on September 11, 2019, at 11:58 a.m., can you please read what  
15 Uribe texted Nadine?

16 A. "Good morning, sister. How you doing. Hope everything is  
17 well with you. Happy Wednesday."

18 Q. Directing your attention a few lines down to line 1073 on  
19 September 16, 2019, can you please read what Uribe writes to  
20 Nadine at 10:52 a.m.?

21 A. "*Buenos días*, blessings for a great week."

22 Q. You testified that Uribe wrote blessings for a great week.

23 MR. MONTELEONI: Mr. Hamill can you please put up to  
24 one side Exhibit 10J-2 and expand September?

25 Q. What day of the week was September 16, 2019?

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Graves - Direct

1 A. A Monday.

2 MR. MONTELEONI: You can take down the calendar,  
3 Mr. Hamill. Thank you.

4 Q. Let's look at the text chain.

5 MR. MONTELEONI: Mr. Hamill, would you please put up  
6 Government Exhibit B209-23 and take us to page 8? Mr. Hamill,  
7 can you please expand the bottom two texts on this page?

8 Q. Special Agent Graves, directing your attention to the  
9 bottom text, you don't have to read the whole text but can you  
10 please read the last sentence starting: "If you are free"?

11 A. "If you are free at the end of the week, would love to get  
12 together and have a hot."

13 MR. MONTELEONI: Mr. Hamill, can you please scroll  
14 down to the top of the next page and show the top two messages  
15 on the page?

16 Q. Special Agent Graves, are there any messages showing this  
17 chat between Uribe writing "hello, sound great" on the top of  
18 this page on September 16, and then the second message on the  
19 page as being listed from Uribe on September 23, 2019?

20 A. No.

21 Q. Please read what Uribe writes in this September 23rd, 2019  
22 message.

23 A. "Good morning. How are you. Hoping you are doing great.  
24 I will love to get together sometime this week. Let me know  
25 what day is good for you."

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Graves - Direct

1 Q. So September 16 was a Monday. What day of the week was  
2 September 23rd?

3 A. A Monday.

4 MR. MONTELEONI: Mr. Hamill, can you please scroll  
5 down now to the bottom message on page 9?

6 Q. What day does Nadine send the next message in this chain  
7 after Uribe's September 23rd, 2019 message?

8 A. 9/24/2019.

9 Q. Would you please read Nadine's 9/24/2019 message?

10 A. "Hi. I have been extremely sick with stomach pain, stomach  
11 virus, and my shoulder. Bob was busy all weekend with  
12 meetings. I only saw him when he came home. Will definitely  
13 make time to get together Friday."

14 MR. MONTELEONI: Mr. Hamill, can you please scroll  
15 down to the next page and expand the whole page?

16 Q. Special Agent Graves, can you please read what Uribe writes  
17 at 12:38 p.m. on September 24, 2019?

18 A. "I am going to get the stomach medicine for your ulceras."

19 MR. MONTELEONI: Mr. Hamill, can you please expand the  
20 next message.

21 Q. Special Agent Graves, can you please read Nadine's message  
22 after that?

23 A. "Thank you. You are always so caring. We should clone  
24 you."

25 Q. What date did she write that?

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Graves - Direct

1 A. 9/24/2019.

2 MR. MONTELEONI: Can you drop the expansion,  
3 Mr. Hamill, please?

4 Q. What day does Uribe send the next message that appears in  
5 this chain at the bottom of this page?

6 A. 9/30/2019.

7 Q. Can you please read Uribe's message on September 30, 2019?

8 A. "Hello. How are you? I hope this note finds you well.  
9 Happy and blessed week."

10 Q. If September 16 and September 23 were Mondays, what day of  
11 the week was September 30?

12 A. Monday.

13 MR. MONTELEONI: Mr. Hamill, can you please scroll  
14 down the top two messages on page 11, Government Exhibit 1303?

15 Q. Special Agent Graves, who wrote these messages?

16 A. José Uribe.

17 Q. Directing your attention to the middle message on the page;  
18 on October 8, 2019 can you please read what Uribe wrote?

19 A. "You don't love me anymore."

20 Q. As of October 8, 2019, when he wrote, "you don't love me  
21 anymore," did you see in all his scrolling any messages from  
22 Nadine since the September 24, 2019 text we looked at?

23 A. No.

24 Q. Now, let's go back to the chart.

25 MR. MONTELEONI: Mr. Hamill, would you please take us

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1 to page 54?

2 Q. Special Agent Graves, I'm not going to ask you to read them  
3 all, but are there more texts between Uribe and Barruos at the  
4 bottom of this page about making a payment?

5 A. Yes, there are.

6 MR. MONTELEONI: So, Mr. Hamill, can you please take  
7 us to page 56?

8 Q. Directing your attention to line 1105 on October 12, 2019,  
9 11:08 p.m., can you please read what Nadine texts to Uribe?

10 A. "I came home yesterday. Saw Bob last night. He asked  
11 about you. I went in the back yard and my tent completely  
12 collapsed. If not, I was going to ask you to come by for a  
13 beer and a cigar. I will figure out a time for us to get  
14 together and laugh and enjoy a beer, me a diet coke. LOL."

15 Q. How long was that text after Uribe texted her, "you don't  
16 love me anymore"?

17 A. I need to go -- oh. It's a few days later.

18 Q. Now, directing your attention to the next line down, 1106,  
19 at 11:15 a.m. on October 12, 2019, how long is it that Uribe  
20 replies after that message from Nadine that we just read?

21 A. A few minutes later.

22 Q. Can you please read Uribe's replies?

23 A. "Hello Hermana. You got me worry. You never reply to me  
24 for over two weeks. Andy is fine. He is on vacation until  
25 Monday. Say hello to Bob for me."

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Graves - Direct

1 Q. Directing your attention to the next line, line 1107, on  
2 October 14, 2019 at 3:58 p.m., can you please read what Uribe  
3 writes to Nadine?

4 A. *"Hola Hermana. Hope you have a wonderful week. I hate to*  
5 *do this to you but I have no peace. Do you know anything?"*

6 MR. MONTELEONI: By the way, Mr. Hamill, can you  
7 please put up to one side Government Exhibit 10J2 and expand  
8 October?

9 Q. Special Agent Graves, what day of the week was October 14,  
10 2019?

11 A. A Monday.

12 MR. MONTELEONI: You can drop the calendar,  
13 Mr. Hamill. Thank you.

14 Q. Directing your attention to the next line, October 17,  
15 2019, can you please read what Uribe writes to Nadine on that  
16 day?

17 A. *"Good morning. Any news? I don't have peace, mi Hermana."*

18 Q. Directing your attention to the next line, 1109, can you  
19 please read what Menendez writes to Nadine on October 21, 2019?

20 A. *"Mon amour, just a friendly reminder about getting my bills*  
21 *in the mail. [Emojis]"*

22 Q. Directin your attention to the next line, can you please  
23 read what Nadine writes to Menendez at 3:55 p.m.?

24 A. *"At 2:39 p.m. your bills were already handed to the lady*  
25 *behind the desk at the post office. Not just in an outside*

O655men5

Graves - Direct

1 mail box. You can check the friends app."

2 Q. Are those photos reproduced in that line photos Nadine  
3 texted to Menendez in this message?

4 A. Yes, they are.

5 Q. Let's go to the next line. Directing your attention to  
6 October 28, 2019 at 11:30 a.m., so first, if October 14 was a  
7 Monday, what day of the week was October 28, 2019?

8 A. A Monday.

9 Q. Let's look at this message that Uribe sends to Nadine on  
10 that day.

11 MR. MONTELEONI: Mr. Hamill, can you please put up  
12 Government Exhibit B209-24 and expand the bottom text on the  
13 first page?

14 Q. Special Agent Graves, can you please read what Uribe texts  
15 Nadine on October 28, 2019, at 11:30 a.m.?

16 A. "Buenos dias, Hermana. Happy and blessed week. I always  
17 text you on Monday in case you have an update. I just need  
18 peace. Sorry to bother you."

19 Q. Now, Special Agent Graves, directing your attention within  
20 the text message containing that line within the message that  
21 contains the participant, delivered, read and played headings,  
22 can you read the display name in the first entry of the  
23 participant column?

24 A. Nadine Menendez.

25 Q. Is that Nadine Menendez's cell phone, that number?

O655men5

Graves - Direct

1 A. Yes. I recognize the last four digits.

2 Q. Can you please read what is written in the read column, in  
3 that first row that lists Nadine's cellphone?

4 A. 10/29/2019.

5 Q. Let's look at what happens at that time.

6 MR. MONTELEONI: Mr. Hamill can you please put back up  
7 Government Exhibit 1303, take us to page 57?

8 Q. Directing your attention to line 1113, would you please  
9 read what Nadine texts to Uribe at 11:38 a.m., one minute after  
10 the read time that we just looked at for that text message?

11 A. "Good morning. This entire week I have dedicated to  
12 volunteering kids with cancer at the hospital. Tomorrow I  
13 should finish around 6:30. If you are free, let's get together  
14 any time after 7:00 p.m. and catch up."

15 Q. Directing your attention to line 1114, the next line, would  
16 you please read Uribe's response at 11:39 a.m.?

17 A. "Good morning. I like that."

18 Q. Directing your attention to line 1115, who calls Nadine at  
19 1:01 p.m.?

20 A. Robert Menendez.

21 Q. How long does Menendez' call to Nadine take place after the  
22 time that Nadine reads Uribe's message saying: "I always text  
23 you on Monday in case you have an update. I just need peace"?

24 A. Approximately an hour and 20 minutes.

25 Q. How long does Menendez' call to Nadine last?



O655men5

Graves - Direct

1 A. 53 seconds.

2 Q. Directing your attention to the next line, what does  
3 Mr. Menendez' calendar indicate between 3:00 and 3:45 p.m. that  
4 day?

5 A. Block RM office time.

6 Q. Directing your attention to the next line, line 1117, who  
7 does Menendez call at 3:06 p.m.?

8 A. José Uribe.

9 Q. How long is that after Menendez' 1:01 p.m. call to Nadine?

10 A. Approximately two hours later.

11 Q. About how long does Menendez' call to Uribe take place  
12 after Nadine, at 11:37 a.m., reads Uribe's message saying "I  
13 always text you on Monday in case you have an update, I just  
14 need peace"?

15 A. A few hours later.

16 Q. How long does Menendez' call to Uribe last?

17 A. Two minutes and 41 seconds.

18 Q. If Menendez' call to Uribe starts at about 3:06 p.m. and  
19 lasts about two minutes and 41 seconds, about when does it end?

20 A. Approximately 3:09 p.m.

21 Q. Directing your attention to the next line, would you please  
22 read what Uribe texts Nadine at 3:10 p.m.?

23 A. "I just got a call and I am a very happy person."

24 Q. Directing your attention to the next line, what does Uribe  
25 text to Nadine at 3:11 p.m.?

O655men5

Graves - Direct

1 A. "God bless you and him forever."

2 Q. About how long does Uribe text "God bless you and him  
3 forever" after texting "I just got a call and I am a very happy  
4 person"?

5 A. Approximately one minute after.

6 Q. About how long was that after the call from Menendez to  
7 Uribe?

8 A. A few minutes after.

9 Q. Directing your attention to the next line, line 1120, on  
10 October 31, 2019 at 3:22 p.m., can you please read what Nadine  
11 texts Uribe?

12 A. "Are you free for dinner Saturday night?"

13 Q. Can you please read Uribe's response?

14 A. "I will make time."

15 Q. Sorry. That was on line 1121; is that right?

16 A. Yes, at 3:28 p.m. Yes.

17 Q. Directing your attention to line 1122, November 1, 2019 at  
18 9:32 p.m., can you please read what Nadine writes to Uribe?

19 A. "8:00 p.m. tomorrow night, River Palm in Edgewater.  
20 Looking forward."

21 Q. Directing your attention to line 1123, at 9:39 p.m., can  
22 you please read Uribe's response?

23 A. "My brother George from Sofia, remember him? Can come with  
24 me, if OK. He don't know nothing but he is good at jokes.  
25 OK?"

O655men5

Graves - Direct

1 Q. Directing your attention to the next line, can you please  
2 read Nadine's response?

3 A. "Of course."

4 Q. Skipping the next few lines and directing your attention to  
5 line 1128, November 4, 2019 at 4:02 p.m., who does Uribe text?

6 A. Jorge Martinez.

7 Q. What type of file does he send him?

8 A. He sends a picture.

9 Q. Let's look at the picture.

10 MR. MONTELEONI: Mr. Hamill, can you please put up  
11 Government Exhibit E109-1? Mr. Hamill please take us back to  
12 Government Exhibit 1303 and put up page 57?

13 Q. Directing your attention to line 1129 at 2:48 p.m. on  
14 November 5, 2019, would you please read what Uribe writes to  
15 Nadine?

16 A. "Can you send me the last invoice for the car pay and your  
17 full social? I like to set it now in auto pay rather than  
18 buying money orders. Please."

19 Q. Directing your attention to the next line, line 1150, would  
20 you please read what Uribe writes to Nadine at 2:50 p.m.?

21 A. "I have so much peace. Gracias a DIOS and to you guys."

22 Q. How long is it that Uribe writes, "I have so much peace,  
23 gracias a DIOSa and to you guys" after he writes "can you send  
24 me the last invoice for your car pay and full social. I would  
25 like to set it now in auto pay"?

O655men5

Graves - Direct

1 A. A couple of minutes.

2 Q. Directing your attention to line 1132 at 12:52 a.m. on  
3 November 6, 2019, can you please read what José Uribe texts to  
4 Nadine?

5 A. "Hello. Please send me inf."

6 Q. Directing your attention to the next line, line 1133 at  
7 8:09 a.m. on November 6, 2019, does Nadine send what appears to  
8 be a full social security number to Uribe, redacted here?

9 A. Yes.

10 MR. MONTELEONI: Now, Mr. Hamill, can you please take  
11 us to page 58 of Government Exhibit 1303?

12 Q. Two lines down, what type of file does Nadine send to  
13 Uribe?

14 A. A picture of a 10/16/2019 invoice from Mercedes Benz  
15 Financial Services, to Nadine Arslanian.

16 Q. Let's look at the picture.

17 MR. MONTELEONI: Mr. Hamill, can you put up Government  
18 Exhibit E101-A?

19 Q. Directing your attention above the dotted line to the left  
20 under the gray Choose Convenience heading in about the middle  
21 of the page to the left, would you please read the sentences  
22 from: "With auto pay" to "MBFS.com"?

23 A. "With auto pay, you can make your vehicle payments using  
24 automatic monthly bank account deductions. Sign up at  
25 MBFS.com."

O655men5

Graves - Direct

1 Q. Let's return to the chart.

2 MR. MONTELEONI: Mr. Hamill, can you please put back  
3 up page 58 of Government Exhibit 1303?

4 Q. Directing your attention to line 1137 on November 9, 2019  
5 at 8:29 p.m., would you please read the details of that line?

6 A. Barruostrucking2017@gmail.com e-mail account added as  
7 billing e-mail address for Nadine Arslanian account with  
8 Mercedes Benz Financial Services.

9 Q. Directing your attention to line 1138, the next line, would  
10 you please read the translation what Uribe texts Fernando  
11 Barruos at 8:30 p.m.?

12 A. "Check your e-mail. Send me the link. Please."

13 Q. Directing your attention to line 1139, what does Uribe do  
14 at 8:32 p.m.?

15 A. Calls Fernando Barruos.

16 Q. How long does that call last?

17 A. 14 minutes, 48 seconds.

18 Q. So about when does it end?

19 A. 8:45 p.m., approximately.

20 Q. Directing your attention to line 1140, what happens at  
21 8:47 p.m.?

22 A. F.sonslogistics@gmail.com account is created.

23 Q. Skipping down to 1142, can you please read what it reflects  
24 happens at 8:50 p.m.

25 A. F.sonslogistics@gmail.com account added as billing e-mail

O655men5

Graves - Direct

1 address to Nadine Arslanian account with Mercedes Benz  
2 Financial Services, replacing barruostrucking2017@gmail.com.

3 Q. About how long is it between when Uribe gets off the phone  
4 with Barruos and when the f.sonslogistics@gmail.com account is  
5 added as a billing address for Nadine Arslanian Mercedes Benz  
6 Financial Services account instead of  
7 barruostrucking2017@gmail.com?

8 A. Minutes.

9 Q. Directing your attention to line 1143 from November 9, 2019  
10 to June 3, 2022, what does that line reflect?

11 A. In the details section?

12 Q. Yes.

13 A. 32 payments of \$891.26, each made to Nadine Arslanian  
14 account with Mercedes Benz Financial Services, from TD Bank  
15 account, with number ending in 6045. Account is in the name of  
16 Route One Transport, Inc. José D Uribe is co-signor.

17 Q. Directing your attention to the next line, line 1144, dated  
18 June 16, 2022; what does that line reflect?

19 A. Cell phones of Robert Menendez, Nadine Menendez, and José  
20 Uribe, seized by FBI.

21 Q. Directing your attention to the last line on the chart,  
22 line 1145 dated June 29, 2022, what does that line reflect?

23 A. Nadine Menendez calls Mercedes Benz Financial Services,  
24 removes f.sonslogistics@gmail.com e-mail address and makes  
25 \$4,000 payment toward principal.

O655men5

Graves - Cross

1 MR. MONTELEONI: No further questions.

2 THE COURT: Sir.

3 MR. FEE: Ready.

4 Hi, Agent Graves.

5 THE WITNESS: Hi.

6 MR. FEE: May I, your Honor?

7 THE COURT: Yes, sir. Cross-examination.

8 CROSS-EXAMINATION

9 BY MR. FEE:

10 Q. Let's bring up 1303, the chart please, Mr. Kelly, and let's  
11 go to row 121, please.

12 (Counsel conferring)

13 MR. FEE: Mr. Hamill, welcome to the dark side?

14 THE COURT: Sir, question, answer.

15 The jury will disregard the comment, please.

16 Q. Row 121, page 9, please. You see there you have in the  
17 chart that Nadine says to Wael Hana: "Thank you." Right?

18 A. Yes.

19 Q. And that's from Arslanian to Hana on January 15, 2019,  
20 correct?

21 A. Yes.

22 Q. And then one before that, in 120, you have Arslanian to  
23 Senator Menendez, "I" -- meaning Nadine -- "rented a  
24 Chevrolet;" correct?

25 A. That's what is written in the chart, yes.

O655men5

Graves - Cross

1 Q. That's right. That is all I am asking.

2 Then, if you expand up from row 118 to 123, just  
3 looking at those entries, do you have an understanding of what  
4 Nadine Arslanian is saying "thank you" for just with your  
5 review of the entries for the chart or exhibits that you found  
6 here?

7 MR. MONTELEONI: Objection.

8 THE COURT: If she does, she may.

9 THE WITNESS: I do not.

10 Q. So row 118 says it is a text from Hana to Arslanian stating  
11 "what time", right?

12 A. Yes?

13 Q. And then you reviewed the underlying exhibits cited in the  
14 chart you testified, right, Agent Graves?

15 A. Yes, I did.

16 Q. Just sitting here today from your memory, do you recall  
17 seeing any messages between Hana's text message in 118 where  
18 Hana says "what time" to Arslanian, and Arslanian's "thank you"  
19 in row 121? Do you remember seeing any messages between Hana  
20 and Arslanian in between those two?

21 A. I don't recall.

22 MR. FEE: OK. So let's bring up the cited exhibit  
23 here in 118, GX B105-31, please, Mr. Hamill.

24 Q. Agent Graves, when it was cited like that, that means that  
25 it was a source that you confirmed for that entry?



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Graves - Cross

1 A. Yes.

2 Q. Thank you.

3 MR. FEE: If we can just go one by one focusing in on  
4 the first message here, Mr. Hamill. So there is the -- I'm  
5 sorry, page 4 of this exhibit, Mr. Hamill. I'm sorry. The  
6 next page, I think. Back. Sorry, back the other way. I think  
7 we had a different version. Can you go back?

8 Do we have this exhibit, Mr. Kelly? Because I think  
9 we have different pagination.

10 I am sorry, Mr. Hamill.

11 THE COURT: Mr. Fee, you can see if you can pick up  
12 the thread by what Mr. Hamill has on. If you go up and down  
13 you may be able to find it.

14 MR. FEE: Yes.

15 THE COURT: Or you can move on. Your choice.

16 MR. FEE: Yes. Thank you, your Honor.

17 Can you cycle through the next page, Mr. Hamill?  
18 There it is, thank you.

19 Thank you, your Honor.

20 Q. So, if you can focus in on the second, the blue message in  
21 the middle? So that's the "what time" entry that was on the  
22 chart in row 118, Agent Graves? Do you see the words "what  
23 time" there?

24 A. I do.

25 Q. And then on the chart after 118, the next message from

O655men5

Graves - Cross

1 between Nadine and Wael Hana was "thank you." Do you remember  
2 that, in row 121, Agent Graves?

3 A. Yes, I do.

4 Q. So let's just go to the, let's zoom out again, Mr. Hamill,  
5 and go to the next message. So it does not say "thank you"  
6 here; correct, Agent Graves?

7 A. No, it does not.

8 Q. And it reads -- it is from Nadine to Hana. It says: "I'm  
9 not sure. I just rented the car. I have to go to Cresskill  
10 and got my nails done. I can meet you before I go to century.  
11 Is there a time that is good for you or bad for you?" In fact,  
12 so it clarifies that Nadine has rented a car for herself, fair  
13 to say?

14 MR. MONTELEONI: Objection.

15 THE COURT: Sustained as to form.

16 MR. FEE: Let's zoom out from that, please,  
17 Mr. Hamill, and go to the next page. So this is the very next  
18 page in the chat, zoom in on the first and we will go one by  
19 one.

20 Q. It says: "Yes, you can." Not "thank you," Agent Grace.  
21 It doesn't say "thank you" there?

22 A. It says "yes, you can."

23 Q. If we keep scrolling through, Agent Graves, do you have any  
24 idea, sitting here today, how many more messages you have to  
25 skip in this chat between Hana and Arslanian to get to the

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Graves - Cross

1 words "thank you"?

2 A. I do not.

3 MR. FEE: So let's zoom out, Mr. Hamill, and we can go  
4 one by one. You don't have to zoom in, you can scroll through  
5 the pages until we find "thank you." You don't even have to go  
6 slow. That is fine. All right, stop. You can zoom in right  
7 there. Mr. Hamill, if you can do a side by side with GX 1303  
8 and zoom in on 118 to 122, if it will be big enough for folks  
9 to see.

10 Q. So Agent Graves, I doubt you had the chance to count, but  
11 between the "what time" message at 4:26 p.m. that Hana sent to  
12 Arslanian and the "thank you" that is the next message in this  
13 chart, you would agree that there is over -- around 10 or so  
14 messages between Hana and Arslanian exchanged; correct?

15 A. I didn't count, but I would say there was more than or  
16 around 10.

17 Q. A handful, of course.

18 And in doing your work to confirm the accuracy of this  
19 chart, did you try to determine what the "thank you" in the  
20 chart was in response to? Or was that not a part of your work?

21 A. That was not part of my assignment.

22 Q. And when you did see something like that, where there was a  
23 large gap depicted as two messages in succession on the chart,  
24 did you raise that with the folks with whom you were working on  
25 this chart? Or not.

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Graves - Cross

1 MR. MONTELEONI: Objection.

2 THE COURT: I will allow it.

3 THE WITNESS: No, I did not.

4 Q. Do you remember flagging this particular gap between  
5 messages that were actually depicted as being in succession on  
6 the chart?

7 A. No, I do not.

8 MR. FEE: Mr. Hamill, we can go back to the GX 1303 on  
9 the big screen, let's go to rows 593 and 595, I don't know the  
10 page number. I'm sorry. It is page 34, actually. Thank you,  
11 Mr. Hamill. You can zoom in there at 592. Perfect.

12 Q. So here, Agent Graves, at 593, we have Uribe at 10:24 a.m.  
13 sending a WhatsApp message to Bienvenido Hernandez; correct?

14 A. Yes.

15 Q. And you testified that when it is in brackets and  
16 italicized like that, that means it has been translated from  
17 Spanish in this case; correct?

18 A. Yes.

19 Q. And then I won't go into the substance but, then about 40  
20 or so minutes later in row 594 we have a call from Uribe to  
21 Hernandez that lasts about 44 seconds; right?

22 A. Yes.

23 Q. And then the very next entry in the chart at row 595 is  
24 someone named Fernando Barruos telling Uribe in a text: "OK."  
25 Right?

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Graves - Cross

1 A. Yes.

2 Q. Now, obviously Bienvenido Hernandez and Fernando Barruos  
3 are different names; right, Agent Graves?

4 A. Yes, they are.

5 Q. And they are using, if you know from your review, those two  
6 individuals are using different phones or are associated with  
7 different phone numbers?

8 A. I believe so. I would have to check that chart to verify  
9 the numbers and names.

10 THE COURT: You mean is Barruos using a different  
11 phone than Hernandez? Is that your question?

12 MR. FEE: Yes, your Honor.

13 THE COURT: I think that's how you understood the  
14 question.

15 MR. FEE: Yes.

16 BY MR. FEE:

17 Q. Fair to say that you would expect there to have been a  
18 notation on the chart if two different names were using the  
19 same phone number?

20 A. Yes.

21 Q. OK.

22 And then a similar question, based only on your work  
23 on this chart and your review of these entries, do you have any  
24 understanding of to what Fernando Barruos is saying "OK"?

25 A. No, I do not.

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Graves - Cross

1 Q. So the cited exhibit here is GX E207-2.

2 MR. FEE: Can we pull that up, please, Mr. Hamill?

3 Thank you.

4 Q. Now, if we can scroll forward to a message that indicates  
5 it is read at 5:57 UTC on April 3? Go forward? It says "OK."

6 MR. FEE: Back one, Mr. Hamill, just focus there.

7 Q. And so this says "OK" just like the entry in the chart said  
8 "OK" from Barruos to Uribe; correct?

9 A. Yes.

10 MR. FEE: If we can zoom out of this to the full page,  
11 please, Mr. Hamill?

12 Q. Are you able to see the other messages here, Agent Graves?

13 A. Just the following messages, not the previous messages.

14 Q. I didn't know if the text was too small.

15 MR. FEE: Just scroll forward one page, Mr. Hamill?

16 Q. Agent Graves, you can see here that this is in Spanish?

17 A. Yes, I can.

18 Q. Or some of it is in Spanish.

19 Can I ask, on your work on this chart -- let me just  
20 ask you, do you speak Spanish?

21 A. I do.

22 Q. And you can read Spanish?

23 A. I do. I can.

24 Q. Great.

25 MR. FEE: Let's go back, and if you can split screen

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Graves - Cross

1 with the chart please, Mr. Hamill, and go to entry 593 to 595?  
2 Are you still able to scroll up on the text chain? If you can  
3 scroll back up to the "OK" message, I think it is on the prior  
4 page. Thank you, Mr. Hamill.

5 Q. So row 595 says: "OK" at 11:08 a.m. Eastern Time; right,  
6 Agent Graves, on the chart --

7 A. Yes.

8 Q. -- on April 3rd. And then on GX E207-2 that's the same  
9 "OK" on April 3, it says 8:12 a.m. UTC which is actually the  
10 same as 11:08 a.m. Eastern; correct?

11 A. Yes.

12 Q. So that's the same message depicted in different form on  
13 the chart?

14 A. Yes.

15 Q. Now, on the chart we can see it's Uribe to Hernandez, Uribe  
16 to Hernandez, and then Barruos to Uribe: "OK." Right, Agent  
17 Graves?

18 A. Yes; line 593, 594, and 595.

19 Q. And 593 is that message where Uribe says to Hernandez, "I  
20 need 15K cash this afternoon."

21 A. Yes.

22 Q. And again, as you reviewed the chart, it is not your  
23 understanding, you would agree, that Barruos is saying "OK" to  
24 Uribe about that 15K cash?

25 MR. MONTELEONI: Objection.

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Graves - Cross

1 THE COURT: Do you have an understanding as to what he  
2 is saying "OK" to?

3 THE WITNESS: I do not have an understanding as to  
4 what he is saying "OK" to.

5 BY MR. FEE:

6 Q. Thank you. Let's look at the underlying document, we have  
7 the "OK".

8 MR. FEE: Let's look at what preceded that by  
9 scrolling up, Mr. Hamill. You can take down the pullout, if  
10 you want.

11 Q. So, Agent Graves, can you help me read this?

12 A. Yes. If they could zoom in?

13 MR. MONTELEONI: We have certified translations.

14 THE COURT: Talk to me, gentlemen.

15 MR. MONTELEONI: Sorry. Objection to not using the  
16 translations.

17 THE COURT: Objection to not using the translation?

18 MR. MONTELEONI: Yes. We have translations of these  
19 messages, I think they're just asking an agent, who is not a  
20 certified interpreter, to be --

21 THE COURT: I think that's right. If there are  
22 interpretations we should use the English interpretation. In  
23 fact, that was in the preliminary instructions I gave the jury.

24 MR. FEE: That's right, your Honor. There are no  
25 certified translations of this exhibit, your Honor. Agent



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Graves - Cross

Graves reviewed this in Spanish.

THE COURT: Just a moment.

(Counsel conferring)

THE COURT: Remember my instructions, ladies and gentlemen, for those of you who speak Spanish and English, that is the record, not the Spanish.

MR. FEE: I will move it in.

THE COURT: Let's see it, if there is one.

MR. FEE: Can we put it in evidence? I offer 207-2T.

MR. MONTELEONI: No objection. We thought it was in.

THE COURT: All right.

MR. FEE: Double offer.

THE COURT: Admitted. The English translation and Spanish is in.

MR. FEE: This will be quick.

THE COURT: Why don't you finish this line.

MR. FEE: This is it.

(Government's ExhibitE207-2T received in evidence)

BY MR. FEE:

Q. So these are the message preceding "OK" which in the chart came after the Uribe-Hernandez exchanges about 15K cash; right?

A. Yes.

Q. Thank you. So you don't get to show me translation, it says: When you get a chance -- Barruos-Uribe -- when you get a chance, let me know, so I can call TQL and Chalktech because I

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Graves - Cross

1 don't want to lose the load.

2 And then Uribe says to Barruos: I'm on it right now.

3 And then Uribe says to Barruos: Fernando call

4 Clarence to be ready at 5:00 a.m.

5 From your review of the chart and the exhibits, do you  
6 have any idea what this is about?

7 A. I do not.

8 MR. FEE: And so scroll down, please, and that's the  
9 next thing is the OK, the last thing I wanted to show you, put  
10 back up the chart 593 to 595, split screen is great.

11 Q. Agent Graves, having worked through that right here, right  
12 now, do you believe this chart is accurate when it lists "OK"  
13 in 595?

14 MR. MONTELEONI: Objection.

15 THE COURT: I will allow it.

16 A. It's accurate in the time and date and the exhibit list.

17 THE COURT: It is accurate in what it says is what you  
18 are saying?

19 THE WITNESS: Yes.

20 THE COURT: OK.

21 Q. But not accurate in indicating to what, if anything,  
22 Barruos is saying "OK"? You would agree?

23 MR. MONTELEONI: Objection.

24 THE COURT: I will allow that.

25 A. Could you repeat the question, please?

O655men5

Graves - Cross

1 Q. Sure. The chart is not accurate in reflecting to what  
2 Barruos is saying "OK"?

3 MR. MONTELEONI: Objection.

4 THE COURT: You may answer, if you can.

5 A. I just know what is on the chart. I don't know the context  
6 of what is on the chart.

7 Q. And you would agree that it omits whatever Barruos is  
8 saying OK to on this chart; correct?

9 A. I would need to look at the rest of the chart to see if  
10 there is any of the other texts we just reviewed.

11 Q. Sure.

12 MR. FEE: Mr. Hamill, can you just go back to the full  
13 screen of 1303?

14 Q. You recall, Agent Graves, that those other communications  
15 were on April 3rd and 2nd, so we can have you take a look at  
16 those and Mr. Hamill can scroll up, if you need, through the  
17 others. Are you good with that page, Agent Graves?

18 A. I am good with this page, yes.

19 MR. FEE: Can you go to the prior page, Mr. Hamill.

20 Q. Just to make it easy, do you see anything else from Barruos  
21 on this page?

22 A. I do not see anything else from Barruos.

23 Q. So you would agree that this chart omits what, if anything,  
24 Mr. Barruos is saying OK to?

25 MR. MONTELEONI: Objection.

O655men5

Graves - Cross

1 THE COURT: You can answer that. You may.

2 THE WITNESS: It doesn't have the prior text messages  
3 leading up to that.

4 MR. FEE: Thanks, Agent Graves.

5 That's it for today, your Honor.

6 THE COURT: Ladies and gentlemen, I think we have had  
7 a fair amount of evidence come in today. Trial is moving  
8 forward apace. We will have another full day of testimony  
9 tomorrow 9:30 to 5:00.

10 Enjoy the evening, don't discuss the case, don't read  
11 any publicity if there is any. See you tomorrow morning by  
12 9:30. You have been quite prompt. It is appreciated by all  
13 the parties and the attorneys and the court.

14 (Continued on next page)

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Graves - Cross

1 (Jury not present)

2 THE COURT: You may step down, Agent.

3 (Witness excused)

4 THE COURT: Mr. Fee, do you have a sense of the length  
5 of your cross-examination at this point?

6 MR. FEE: I am going to try to keep it to two hours.

7 THE COURT: Mr. Lustberg?

8 MR. LUSTBERG: Actually, Mr. Solano is doing it.

9 MR. SOLANO: Your Honor, I will work with Mr. Fee so  
10 we are not duplicative tomorrow, and I will have a better  
11 estimate in the morning before we start.

12 MR. DE CASTRO: We have nothing for this witness.

13 THE COURT: Who is your next witness, government?

14 MR. MONTELEONI: The government will call Gurbir  
15 Grewal next.

16 THE COURT: How long is that on direct?

17 MR. MONTELEONI: Probably between an hour to an hour  
18 and a half.

19 THE COURT: And who is your witness after that?

20 MR. MONTELEONI: It is Kira Glass, an FBI fingerprint  
21 examiner.

22 THE COURT: All right, fine. I will see everybody  
23 tomorrow at 9:30. Thank you.

24 MR. MONTELEONI: Your Honor, can I add one thing for  
25 the record?

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Graves - Cross

1 THE COURT: Yes.

2 MR. MONTELEONI: I believe that when the translation  
3 was being added, I think that Mr. Fee said it was 207-2T but I  
4 think it is E207-2T, I am just saying it so the transcript will  
5 reflect.

6 THE COURT: Thank you. The record is now correct.  
7 9:30 tomorrow. Thank you.

8 (Adjourned to June 6 , 2024, at 9:30 a.m.)

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